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ILLINOIS REGISTER

RULES OF GOVERNMENTAL AGENCIES

Volume 24, Issue 10
March 03, 2000

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ILLINOIS REGISTER

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EDITOR'S NOTE: The Cumulative Index and Sections Affected Index will be printed on a quarterly basis. The printing schedule for the quarterly and annual indices are as follows:

Issue 16 - April 14, 2000: Data Through March 31, 2000
Issue 29 - July 14, 2000: Data Through June 30, 2000
Issue 42 - October 13, 2000: Data Through September 30, 2000
Issue 3 - January 19, 2001: Data Through December 31, 2000 (Annual)

INTRODUCTION

The *Illinois Register* is the official state document for publishing public notice of rulemaking activity initiated by State governmental agencies. The table of contents is arranged categorically by rulemaking activity and alphabetically by agency within each category. The Register also contains a Cumulative Index listing alphabetically by agency the Parts (sets of rules) on which rulemaking activity has occurred in the current Register volume year and a Sections Affected Index listing by Title each Section (including supplementary material) of a Part on which rulemaking activity has occurred in the current volume year. Both indices are action coded and are designed to aid the public in monitoring rules.

Rulemaking activity consists of proposed or adopted new rules; amendments to or repealers of existing rules; and rules promulgated by emergency or peremptory action. Executive Orders and Proclamations issued by the Governor; notices of public information required by State statute; and activities (meeting agendas, Statements of Objection or Recommendation, etc.) of the Joint Committee on Administrative Rules (JCAR), a legislative oversight committee which monitors the rulemaking activities of State agencies; is also published in the Register.

The Register is a weekly update to the *Illinois Administrative Code* (a compilation of the rules adopted by State agencies). The most recent edition of the Code along with the Register comprise the most current accounting of State agencies' rules.

The Illinois Register is the property of the State of Illinois, granted by the authority of the Illinois Administrative Procedure Act [5 ILCS 100/1-1 et seq.].

REGISTER PUBLICATION SCHEDULE 2000

Issue #	Copy Due by 4:30 p.m.	Publication Date	Issue #	Copy Due by 4:30 p.m.	Publication Date
Issue 1	December 27, 1999	January 7,2000	Issue 28	June 26	July 7
Issue 2	January 4, 2000*	January 14	Issue 29	July 3	July 14
Issue 3	January 10	January 21	Issue 30	July 10	July 21
Issue 4	January 18*	January 28	Issue 31	July 17	July 28
Issue 5	January 24	February 4	Issue 32	July 24	August 4
Issue 6	January 31	February l4**	Issue 33	July 31	August 11
Issue 7	February 7	February 18	Issue 34	August 7	August 18
Issue 8	February 14	February 25	Issue 35	August 14	August 25
Issue 9	February 22*	March 3	Issue 36	August 21	September 1
Issue 10	February 28	March 10	Issue 37	August 28	September 8
Issue 11	March 6	March 17	Issue 38	September 5*	September 15
Issue 12	March 13	March 24	Issue 39	September 11	September 22
Issue 13	March 15	March 26	Issue 40	September 18	September 29
Issue 14	March 20	March 31	Issue 41	September 25	October 6
Issue 15	March 27	April 7	Issue 42	October 2	October 13
Issue 16	April 3	April 14	Issue 44	October 10*	October 20
Issue 17	April 10	April 21	Issue 43	October 16	October 27
Issue 18	April 17	April 28	Issue 44	October 23	November 3
Issue 19	April 24	May S	Issue 45	October 30	November13**
Issue 20	May 1	May 12	Issue 46	November 6	November17
Issue 21	May 8	May 19	Issue 47	November13	November 27 **
Issue 22	May 15	May 26	Issue 48	November 20	December1
Issue 23	May 22	June 2	Issue 49	November 27	December 8
Issue 24	May 30*	June 9	Issue 50	December 4	December15
Issue 25	June 5	June16	Issue 51	December 11	December 22
Issue 26	June 12	June 23	Issue 52	December 18	December 29
Issue 27	June 19	June 30	Issue 1	December 26*	January 5, 2001

* Tuesday 12 noon deadline following a state holiday.
** Monday publication date following a state holiday.

Printed by authority of the State of Illinois
March 2000 – 675 – GA-1057

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED RULES

1) Heading of the Part: Licensure of Direct Child Welfare Services Employees and Supervisors

2) Code Citation: 89 Ill. Adm. Code 412

3)

Section Numbers:	Proposed Action:
412.10	New
412.20	New
412.30	New
412.40	New
412.50	New
412.60	New
412.70	New
412.80	New
412.90	New
412.100	New

4) Statutory Authority: 20 ILCS 505/5c

5) A Complete Description of the Subjects and Issues Involved: The proposed rule complies with the statutory requirement that the Department develop and implement a program for the licensure of direct child welfare services employees and supervisors employed by the Department and purchase of service agencies that participate in investigation, case management or foster care licensing decisions.

6) Will this proposed rule replace an emergency rule currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this proposed rule contain incorporations by reference? No

9) Are there any proposed amendments to this Part pending? No

10) Statement of Statewide Policy Objectives: The proposed rule does not expand a state mandate as defined in Section 3 of the State Mandates Act [30 ILCS 805].

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Comments on this proposed rulemaking may be submitted in writing for a period of 45 days following publication of this notice. Comments should be submitted to:

Jeff Osowski
Office of Child and Family Policy
Department of Children and Family Services
406 East Monroe Street, Station #65
Springfield, Illinois 62701-1498

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED RULES

Telephone: 217/524-1983
TDD: 217/524-3715
FAX: 217/557-0692
E-Mail address: cfpolicy@dcfs.state.il.us

The Department will consider fully all written comments on this proposed rulemaking submitted during the 45-day comment period. Comments submitted by small businesses should be identified as such.

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses affected: Purchase of service child welfare agencies.

B) Reporting, bookkeeping or other procedures required for compliance: This Part requires direct child welfare services supervisors and workers employed by the Department of Children and Family Services or purchase of service agencies to be licensed by the Department as a direct child welfare services employee. Department and purchase of service agencies will be required to ensure that individuals applying for licensure meet the educational requirements of the position for which they are employed as specified by this Part.

C) Types of professional skill necessary for compliance: Employers will need to exercise professional judgment in assessing whether individuals employed as child welfare services supervisors and workers meet the qualifications for licensure as defined by this Part.

13) State reason(s) for this rulemaking if it was not included in either of the two most recent regulatory agendas: January 2000

The full text of the proposed rules begins on the next page.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED RULES

TITLE 89: SOCIAL SERVICES
CHAPTER III: DEPARTMENT OF CHILDREN AND FAMILY SERVICES
SUBCHAPTER f: GENERAL ADMINISTRATION

PART 412
LICENSURE OF DIRECT CHILD WELFARE SERVICES EMPLOYEES AND SUPERVISORS

Section

412.10 Purpose
412.20 Definitions
412.30 Organization and Administration of Licensing Program
412.40 Licensing Requirements
412.50 Grounds for Disciplinary Action
412.60 Investigation, Notice and Proceedings Involving Formal Complaints
412.70 Revocation and Suspension of License
412.80 Imminent Danger to the Public
412.90 Restoration of Revoked or Suspended License
412.100 Severability of This Part

AUTHORITY: Authorized by Section 5c of the Children and Family Services Act [20 ILCS 505/5c].

SOURCE: Adopted at 24 Ill. Reg. _____, effective _____.

Section 412.10 Purpose

The purpose of this Part is to set licensing standards of qualifications, education, and training for those who seek to practice as a direct child welfare services employee.

Section 412.20 Definitions

"Administrative Law Judge" means a licensed attorney who is appointed by the Director of the Department and is responsible for conducting the administrative hearing.

"Authorized Representative" means a person, including an attorney, authorized in writing by a licensee to assist in the administrative hearing process.

"Direct child welfare services employee" means a person employed by the Department of Children and Family Services (DCFS) or a purchase of service agency that participates in or supervises investigations, casework, intact/family preservation, permanency or foster care licensing decisions.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED RULES

"Department" means the Department of Children and Family Services.

"License" means a document issued by the Department that is required to practice as a direct child welfare services employee, the qualifications for which include specific education and examination requirements.

"Licensed direct child welfare services employee" means a person employed in child welfare services that holds a direct child welfare services employee license issued by the Department.

"Purchase of service provider" means an agency or individual offering services to a Department client through a signed contract with the Department.

Section 412.30 Organization and Administration of Licensing Program

a) The Department shall:
   1) Ensure that individuals applying for licensure meet the educational requirements of the position for which they are employed as specified in Section 412.40(b).
   2) Authorize examinations that fairly test the competence and qualifications of applicants to be a child welfare services employee.
   3) Maintain licensing files for applicants and persons licensed by the Department to be a direct child welfare services employee.
   4) Maintain rosters of names and addresses of all licensed direct child welfare services employees, and all persons whose licenses have been suspended, revoked or are pending suspension or revocation.
   5) Provide information concerning specific individuals to prospective employers upon written request. Licensing status information shall include, but not be limited to, date of issuance and pending and disciplinary action against the licensee.
   6) Employers shall also receive follow-up information concerning administrative findings and recommendations for any individual whose license had been reported to the employer as pending revocation or suspension.

b) Direct Child Welfare Services Employee License Board
   The Direct Child Welfare Services Employee License Board (hereafter referred to as the Board) shall consist of nine members appointed by the Director of the Department. All persons appointed to the Board shall be residents of the State of Illinois.
   1) The nine member Board shall be composed of five licensed professionals from the field of human services, two of which shall be employed in the private not-for-profit sector; two members who serve on the faculty of an accredited university and

have child welfare experience; and two members of the general public who are not licensed under this Part or similar rule. Members chosen from the public must clearly represent consumer interests.

2) All licensed professionals and faculty members must be in good standing with their profession. All members of the Board shall have no pending or indicated reports of child abuse or neglect, and no pending or criminal conviction of any offenses stipulated under the Criminal Code of 1961 listed in Section 4.2 of the Child Care Act of 1969 [225 ILCS 10/4.2].

3) Members appointed to the initial Board shall serve for one, two or three years. All successive appointments shall be for a term of three years. No member shall be reappointed if his or her reappointment would cause that person to serve on the Board for longer than six consecutive years. Appointments to fill unexpired vacancies shall be made in the same manner as original appointments.

4) Board membership shall have reasonable representation from different geographic areas of Illinois.

5) The Director may terminate the appointment of any member for good cause.

6) The Board shall make recommendations to the Director regarding licensure rules.

7) The Board shall make final determination concerning revocation, suspension or reinstatement of an employee's direct child welfare services license after a hearing under the provisions of Section 412.60.

8) The Director shall appoint the chairperson and vice-chairperson of the Board annually.

9) Members of the Board shall be reimbursed for all authorized legitimate and necessary expenses incurred in attending the meetings of the Board.

10) A majority of the current Board members shall constitute a quorum. A vacancy in the membership of the Board shall not impair the right of a quorum to perform all of the duties of the Board.

11) Members of the Board shall have no liability in an action based upon a disciplinary proceeding or other activity performed in good faith as a member of the Board.

Section 412.40 Licensing Requirements

Direct child welfare services supervisors and workers employed by the Department of Children and Family Services or purchase of service agencies shall be licensed by the Department to practice as a direct child welfare services employee.

a) Direct Child Welfare Services Employees Requiring Licensure
Supervisors and workers that participate in investigation, casework, intact or family preservation, permanency, or foster care licensing

decisions shall obtain a license to practice as a direct child welfare services employee.

b) Qualifications for License
The Department shall issue a license to an applicant who:
1) has applied in writing on the prescribed form;
2) has no pending or indicated reports of child abuse or neglect, and has no pending or criminal conviction of any offenses stipulated under the Criminal Code of 1961 listed in Section 4.2 of the Child Care Act of 1969 [225 ILCS 10/4.2];
3) is a graduate of an accredited college or university and meets the requirements of his or her position as defined in 89 Ill. Adm. Code 401 (Licensing Standards for Child Welfare Agencies) or employed by an agency or the Department in the position of a direct child welfare services employee, and the Department has deemed the individual as qualified;
4) has obtained Child Endangerment Risk Assessment Protocol certification as required by position;
5) has passed the examination to practice as a direct child welfare services employee as authorized by the Department; and
6) is not delinquent in paying a child support order as specified in Section 10-65 of the Illinois Administrative Procedure Act [5 ILCS 100/10-65].

c) Licensing Examination
1) The licensing examination shall be administered by the Department or designated testing service.
2) Applicants shall be allowed two attempts to pass the written examination. Applicants failing a second attempt shall not be allowed to practice as a direct child welfare services employee.

d) License Restrictions and Limitations
1) All direct child welfare services employees and supervisors employed as of October 1, 2000 must obtain a license under provisions of this Part to be employed as a direct child welfare services employee by January 1, 2001 or their authority to practice such services shall be terminated.
2) Employees hired after October 1, 2000 must be licensed in order to work as a direct child welfare services employee. Until the employee obtains a license, he or she may work as a case aide under the supervision of a licensed child welfare services employee, but may not be the worker of record for a case. The Department will provide one week of training and study guides for the licensing examination to all new hires.
3) After January 1, 2001, no person shall be allowed to practice as a direct child welfare services employee unless that person has been issued a license under the provisions of this Part.
4) Licensed child welfare services employees are responsible for remaining current with changes in law, rule and procedures governing child welfare services. Licensed child welfare services employees are encouraged to participate in optional

training offered by the Department, and must participate in all mandatory training.

5) This license does not allow any person to represent herself or himself as a licensed clinical social worker as defined under the Licensed Clinical Social Work and Social Work Practice Act [225 ILCS 20]. The license is solely for the purpose of employment with the Department or with a purchase of service agency as a direct child welfare services employee.

Section 412.50 Grounds for Disciplinary Action

The Board may suspend, revoke or refuse to reinstate any license with regard to any direct child welfare services employee license issued by the Department for any of the following causes.

a) Misfeasance

Acts of misfeasance include the following:

1) violation or negligent disregard of this Part;
2) a pending or criminal conviction of any offenses stipulated under the Criminal Code of 1961 listed in Section 4.2 of the Child Care Act of 1969 [225 ILCS 10/4.2];
3) making any misrepresentation for the purpose of obtaining a license, including failure to certify on the form, or a false statement, that the applicant is not more than 30 days delinquent in complying with a child support order, or any violations of the provisions of this Part;
4) a pattern of conduct that demonstrates incompetence, unfitness or blatant disregard for one's duties in providing direct child welfare services;
5) deviation from a minimum standard of child welfare practice that could result in an injury to a child;
6) aiding or assisting another person in violation of any provision of this Part;
7) failing to provide information regarding employee licensure within 60 days in response to a written request made by the Department related to violation of the direct child welfare services employee license;
8) habitual or excessive use or addiction to alcohol, narcotics, stimulants, or any other chemical agent or drug that results in a worker's inability to practice with reasonable judgment, skill, or safety;
9) discipline by another jurisdiction when the grounds for discipline is substantially the same as at least one of the grounds established in this Section;
10) falsification of case records, court reports or court testimony;
11) failing to report an instance of suspected child abuse or neglect as required by the Abused and Neglected Child Reporting Act (ANCRA);
12) being named as an alleged perpetrator in a pending child abuse or neglect report; and
13) being named as a perpetrator in an indicated report by the Department under ANCRA when the indication has not been reversed on appeal or administrative court review in accordance with 89 Ill. Adm. Code 336 (Appeal of Child Abuse and Neglect Investigation Findings).

b) Mental Health and Developmental Disabilities

Involuntary admission of a licensee to a mental health facility as provided in the Mental Health and Developmental Disabilities Code shall result in an automatic suspension of his or her license. The license may be reinstated upon recommendation of the Board after a finding by a court that the licensee is no longer subject to involuntary admission.

c) Delinquent Compliance With a Child Support Order

Upon a final finding of delinquency or failure to comply with a subpoena or warrant, the Department may refuse to issue, may suspend or may revoke the license of a person who is more than 30 days delinquent in paying a child support order as specified in Section 10-65 of the Illinois Administrative Procedure Act [5 ILCS 100/10-65].

Section 412.60 Investigation, Notice and Proceedings Involving Formal Complaints

a) Initial complaints shall be made to the appointed staff to the Board for determination as to whether the complaint meets the description of the grounds for disciplinary action as defined Section 412.50. The appointed staff, the Board Chairman or Vice-Chairman, and the Office of Inspector General (OIG) shall review the complaint to determine whether the complaint meets the description of one or more of the grounds for disciplinary action as defined in Section 412.50. If the complaint meets the description of one or more of the grounds for disciplinary action, the report shall be forwarded to the Office of the Inspector General for investigation.

b) Office of the Inspector General

The Department's Office of the Inspector General shall investigate formal complaints to the Board regarding the actions of any person holding or claiming to hold a license. The OIG shall provide notice of the complaint and investigation to the licensee and employer. The OIG shall provide notice of the outcome of the investigation and recommendations to the Board.

c) Notice of Administrative Hearing

The Board shall notify the licensee and employer in writing of the outcome of the investigation and any intent to revoke or suspend the employee's license. The notice shall provide a specific statement of the charges as well as the date, time and location of the hearing on the charges. The notification shall be provided at least 30 days prior to the hearing date, and may be served by personal delivery, certified or registered mail. The licensee may notify the Department

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED RULES

that the licensee does not wish to proceed with the hearing and thereby abandons the appeal.

d) Administrative Hearings

1) Functions of the Administrative Law Judge and Attending Board Members

An Administrative Law Judge and at least three members of the Board shall hear the charges at any hearing convened under the provisions of this Part. Administrative Law Judges shall have full authority to conduct a fair, impartial and formal hearing in which the strict rules of evidence do not apply. At the conclusion of the hearing, the members of the Board present at the hearing shall determine by majority vote whether to suspend the license or revoke the license. If the vote is a tie, the Administrative Law Judge shall cast the deciding vote.

2) Rights and Responsibilities in Administrative Hearings

A) The applicant or licensee may bring an Authorized Representative to the hearing.

B) During the administrative hearing, the licensee and the Department have the right to present and question witnesses; present any information relevant to the issues; and question or disprove any information, including an opportunity to question opposing witnesses.

C) The Department shall preserve a record of the hearing that shall include the notice of hearing, complaint, all other documents in the nature of pleadings, written motions, motions filed, testimony, recommendation and final decision of the Board.

3) Subpoenas

The Department, upon request of the Administrative Law Judge, any Board member, or any party, shall issue a subpoena for the attendance of witnesses or the production of documents, paper, files, books and records in connection with the hearing.

4) Report of Findings

Within 15 days after the hearing, the Administrative Law Judge, after consultation with the Board members who heard the case, shall prepare and distribute the final administrative decision with findings of fact, conclusions of law and final decision of the Board. The report shall contain a finding whether the applicant or licensee violated the conditions required by this Part.

5) Administrative Review

All administrative decisions are subject to judicial review pursuant to the Administrative Review Law [735 ILCS 5/Art. III]. Judicial review proceedings shall be in the circuit court of the county in which the applicant or licensee applying for review resides, but if the party is not a resident of Illinois, the venue shall be in Sangamon County.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED RULES

Section 412.70 Revocation and Suspension of License

Upon the Board's decision to revoke or suspend a license, the licensee shall immediately surrender his or her license to the Department. Upon failure to do so by the licensee, the Department shall have the right to seize the license.

Section 412.80 Imminent Danger to the Public

The Director may temporarily suspend the license of a direct child welfare services employee without a hearing simultaneously with the institution of proceedings for a hearing as provided for in this Part, if the Director finds that evidence indicates that a licensee poses an imminent danger to the public if allowed to continue practicing direct child welfare. In the event that the licensee's license is suspended without a hearing, a hearing shall be held within 30 days after the suspension has occurred.

Section 412.90 Restoration of Revoked or Suspended License

A licensee may request the restoration of his or her license by submitting a written request to the Board providing specific reasons to support the request. The Board may not restore a license where it has been determined by investigation and administrative hearing that it is not in the best interest of the public to do so.

Section 412.100 Severability of This Part

If any court of competent jurisdiction finds any rule, clause, phrase, or provision of this Part to be unconstitutional or invalid for any reason whatsoever, this finding shall not affect the validity of the remaining portions of this Part.

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Rights and Responsibilities

2) Code Citation: 89 Ill. Adm. Code 102

3) Section Numbers:	Proposed Action:
102.210	Amendment

4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13]

5) Complete Description of the Subjects and Issues Involved: This proposed rulemaking pertaining to the recovery of assistance provides for the waiver of estate recovery concerning the estate of a deceased recipient, or his or her deceased spouse, when Department pursuit of recovery would cause undue hardship. These changes are being made in response to provisions of OBRA'93 that require states to establish a procedure by which heirs and beneficiaries of a decedent's estate may apply for a waiver of estate recovery when such recovery would result in hardship. On August 18, 1999, HCFA approved an amendment to the Illinois Medicaid State Plan that provides for a waiver of estate recovery based on undue hardship.

Currently, to avoid undue hardship, the Department will waive its right to recover from a decedent's estate to the extent that a court approves an award for a surviving spouse or dependent child under the Illinois Probate Act. Individuals seeking an award based on the waiver of estate recovery must file a petition with the probate court having jurisdiction over the decedent's estate. Under the proposed amendments, the Department will waive estate recovery based on undue hardship if pursuing recovery would cause an heir or beneficiary to become, or remain, eligible for a public benefit program, such as SSI, TANF or Food Stamps. However, if the claims of other estate creditors would exhaust the decedent's estate, the Department will not waive its claim despite undue hardship. The Department will give known heirs and beneficiaries of a decedent's estate advance notice of the opportunity to apply for a waiver of estate recovery.

No appreciable budgetary effect is expected to result from implementation of these proposed changes on estate recovery.

6) Will these proposed amendments replace emergency amendments currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Do these proposed amendments contain incorporations by reference? No

9) Are there any other proposed amendments pending on this Part? No

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

10) Statement of Statewide Policy Objectives: These proposed amendments do not affect units of local government.

11) Time, Place, and Manner in Which Interested Persons May Comment on this Proposed Rulemaking: Any interested parties may submit comments, data, views, or arguments concerning this proposed rulemaking. All comments must be in writing and should be addressed to:

Joanne Jones
Office of the General Counsel
Illinois Department of Public Aid
201 South Grand Avenue East, Third Floor
Springfield, Illinois 62763-0002
(Telephone: 217-524-0081)

The Department requests the submission of written comments within 30 days after the publication of this notice. The Department will consider all written comments it receives during the first notice period as required by Section 5-40 of the Illinois Administrative Procedure Act [5 ILCS 100/5-40].

These proposed amendments may have an impact on small businesses, small municipalities, and not-for-profit corporations as defined in Sections 1-75, 1-80 and 1-85 of the Illinois Administrative Procedure Act [5 ILCS 100/1-75, 1-80, 1-85]. These entities may submit comments in writing to the Department at the above address in accordance with the regulatory flexibility provisions in Section 5-30 of the Illinois Administrative Procedure Act [5 ILCS 100/5-30]. These entities shall indicate their status as small businesses, small municipalities, or not-for-profit corporations as part of any written comments they submit to the Department.

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: None

B) Reporting, bookkeeping or other procedures required for compliance: None

C) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on Which this Rulemaking Was Summarized: January 2000

The full text of the proposed amendments begins on the next page:

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER a: GENERAL PROVISIONS

PART 102
RIGHTS AND RESPONSIBILITIES

Section
102.1 Incorporation By Reference
102.10 Rights of Clients
102.20 Nondiscrimination
102.21 Voter Registration
102.25 Grievance Rights of Clients
102.30 Confidentiality of Case Information
102.35 Case Records
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102.230 Filing and Renewal of Liens
102.235 Liens on Property of Institutionalized Recipients
102.240 Foreclosure of Liens
102.250 Release of Liens
102.260 Personal Injury Claims
102.270 Convictions of Fraud - Eligibility
102.280 Single Conviction of Fraud - Administrative Review Board

AUTHORITY: Implementing Article XI and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Art. XI and 12-13].

SOURCE: Filed and effective December 31, 1977; peremptory rule at 2 Ill. Reg. 52, p. 449, effective December 13, 1978; amended at 2 Ill. Reg. 52, p. 462, December 23, 1978; peremptory amendment at 3 Ill. Reg. 11, p. 39, effective March 1, 1979; amended at 3 Ill. Reg. 41, p. 167, effective October 1, 1979;

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

amended at 3 Ill Reg. 43, p. 196, effective October 15, 1979; amended at 5 Ill. Reg. 8035, effective July 27, 1981; amended at 5 Ill. Reg. 10775, effective October 1, 1981; amended at 6 Ill. Reg. 894, effective January 7, 1982; codified at 7 Ill. Reg. 5706; amended at 7 Ill. Reg. 8350, effective July 1, 1983; amended at 8 Ill. Reg. 18910, effective September 26, 1984; amended at 9 Ill. Reg. 327, effective December 31, 1984; amended at 9 Ill. Reg. 3730, effective March 13, 1985; amended at 9 Ill. Reg. 6812, effective April 26, 1985; amended at 9 Ill. Reg. 7162, effective May 1, 1985; amended at 9 Ill. Reg. 13091, effective August 16, 1985; amended at 9 Ill. Reg. 14704, effective September 13, 1985; amended at 9 Ill. Reg. 15912, effective October 4, 1985; amended at 10 Ill. Reg. 3981, effective February 22, 1986; amended at 10 Ill. Reg. 14795, effective August 29, 1986; amended at 10 Ill. Reg. 19088, effective October 24, 1986; Sections 102.100 and 102.110 recodified to 89 Ill. Adm. Code 165 at 10 Ill. Reg. 21094; amended at 11 Ill. Reg. 14067, effective August 10, 1987; amended at 11 Ill. Reg. 18239, effective October 30, 1987; amended at 12 Ill. Reg. 3735, effective February 5, 1988; amended at 13 Ill. Reg. 3940, effective March 10, 1989; amended at 14 Ill. Reg. 13279, effective August 6, 1990; emergency amendment at 14 Ill. Reg. 20078, effective December 3, 1990, for a maximum of 150 days; amended at 15 Ill. Reg. 7202, effective April 30, 1991; amended at 18 Ill. Reg. 273, effective December 28, 1993; amended at 18 Ill. Reg. 8938, effective June 3, 1994; amended at 19 Ill. Reg. 1108, effective January 26, 1995; emergency amendment at 19 Ill. Reg. 12320, effective August 14, 1995, for a maximum of 150 days; amended at 20 Ill. Reg. 883, effective December 29, 1995; amended at 21 Ill. Reg. 619, effective January 1, 1997; emergency amendment at 21 Ill. Reg. 4037, effective March 14, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 7438, effective June 1, 1997; amended at 21 Ill. Reg. 11955, effective August 13, 1997; amended at 24 Ill. Reg. _____, effective _____.

Section 102.210 Estate Claims

a) Definitions in this Section are as follows:
   1) "Estate" - all real and personal property within an individual's estate as provided in Illinois probate law. For a decendent who received benefits under a long term care insurance policy in connection with which assets were disregarded, the term "estate" includes all real and personal property in which the individual had legal title or interest at the time of death (to the extent of such interest), including assets conveyed to a survivor, heir or assignee of the deceased person through joint tenancy, tenancy in common, survivorship, life estate, living trust or other arrangement.
   2) "Beneficiary" - any person nominated in a will to receive an interest in property other than in a fiduciary capacity.
   3) "Heir" - any person entitled under the statutes to an interest in property of a decendent.

b) The Department's claim against the estate of a deceased recipient or against the estate of the recipient's deceased spouse, regardless of

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the order of death, shall encompass:

1) All income maintenance assistance paid out at any time; and
2) All medical assistance paid out:
   A) at any time for a permanently institutionalized recipient whose real property is subject to the Department's lien; or ~~3) All medical assistance paid out;~~
   B) except the costs of Community Care Program (CCP) services, prior to October 1, 1993, for a recipient while 65 years of age or older; or ~~4) All medical assistance paid out~~
   C) on or after October 1, 1993, for a recipient while 55 years of age or older; or ~~5) All medical assistance paid out~~
   D) for Medicare cost sharing expenses of a Qualified Medicare Beneficiary (QMB).

c) The claim shall apply to assistance provided to or in behalf of a recipient on or after the following dates:

Assistance Program	Effective Date
1) AABD (Aged) (AABD(A))	1) 1963
2) AABD (Blind) and (Disabled) (AABD(B) and (D))	2) November, 1963
3) MANG (Aged), (Blind), and (Disabled) (MANG(A), (B), and (D))	3) January 1, 1966

d) The Department shall not enforce a claim for medical assistance against any property, real or personal, of a deceased recipient while one or more of the following relatives survives: spouse of decedent, child under 21, or child over 21 who is blind or permanently and totally disabled.

e) The Department shall not enforce a claim for income maintenance assistance against homestead property of a deceased recipient while the homestead is occupied by one or more of the surviving relatives previously specified.

f) To avoid undue hardship, the Department will waive its right to recover from a decedent's estate if pursuing recovery would cause an heir or beneficiary of the estate to become or remain eligible for a public benefit program, such as SSI, TANF or Food Stamps. The Department may limit the scope of its waiver to that portion of the estate that the heir or beneficiary would receive and pursue recovery against the balance of the estate, if any. The Department will not waive recovery despite undue hardship if payment of the claims of other estate creditors that are equal or inferior in priority to the Department's claim will exhaust the estate and defeat the purpose of the waiver. The Department will provide written notice to heirs and

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beneficiaries known to the Department of the opportunity, time frame and method to request a waiver of estate recovery based on undue hardship ~~to--the--extent--a--court--approves-an-award-for-a-surviving spouse-or-dependent-child-under-the-Illinois-Probate-Act-[755-ILCS-5]. The-amount-of-the-recovery-waived-is-equal-to-the-amount-of-the--award or--awards.---Individuals--seeking--to--obtain--an--award--must-file-a petition--with--the--probate--court--having--jurisdiction---over---the decedent's---estate.---The--procedure--for--providing--notice--to--the survivors-of-the-decedent-consists-of-the-filing-of--the--claim.---Any appeal-action-taken-by-the-survivors-would-be-with-the-probate-court.~~

g) The Department may defer or waive enforcement of its claim for income maintenance assistance if it determines that:
   1) The deceased recipient is survived by a dependent spouse and minor child or children; or
   2) Rehabilitative training for employment or other means of self-support for the surviving spouse or children is feasible, and deferment or waiver will facilitate achievement of self-support status and prevent or reduce the likelihood of return to dependency on public assistance of the spouse or children.

(Source: Amended at 24 Ill. Reg. _____, effective _____)

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1) Heading of the Part: Plumbers Licensing Code

2) Code Citation: 68 Ill. Adm. Code 750

3)

Section Numbers:	Proposed Action:
750.110	New Section
750.115	Amendment
750.200	New Section
750.205	Repeal
750.210	New Section
750.215	Repeal
750.220	New Section
750.225	Repeal
750.235	Repeal
750.245	Repeal
750.300	Amendment
750.310	Amendment
750.320	Amendment
750.330	Repeal
750.400	New Section
750.410	New Section
750.420	New Section
750.430	Amendment
750.500	New Section
750.510	New Section
750.520	New Section
750.530	New Section
750.540	Amendment
750.550	New Section
750.600	Amendment
750.700	New Section
750.710	New Section
750.720	New Section
750.730	New Section
750.800	New Section
750.900	Amendment
750.910	New Section
750.1000	New Section
750.1100	Amendment
750.1110	Amendment

4) Statutory Authority: Authorized by and implementing the Illinois Plumbing License Law [225 ILCS 320].

5) A Complete Description of the Subject and Issues Involved: This rulemaking will implement recent changes to the Illinois Plumbing Licensing Law that require licensed plumbers to complete continuing education prior to annual license renewal and licensed plumbers found to have committed repeated Plumbing Code violations to complete additional continuing education. Standards for approval of continuing education providers, programs, and courses are added to the rules. The rulemaking also will implement revisions to the Law that authorized the Department to investigate persons who engage in the practice of plumbing or hold themselves to be plumbers without being licensed under the Law. Actions that the Department may take against such persons, including civil penalties, are specified in this rulemaking. Additionally, licensing of retired plumbers and voluntary certification procedures, which include voluntary education, training, and experience standards, for local plumbing regulation and inspection programs are specified in the proposed amendments. Modifications to existing Sections of the rules are added to provide clarification to current policy concerning administration of the plumbers licensing examination, the duties of the State Board of Plumbing Examiners, and licensing requirements for plumbers and apprentice plumbers.

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6) Will this Rulemaking Replace an Emergency Rule Currently in Effect? No

7) Does this Rulemaking Contain an Automatic Repeal Date? No

8) Does this Rulemaking Contain any Incorporations by Reference? Yes

9) Are there any other Proposed Amendments Pending on this Part? No

10) Statement of Statewide Policy Objectives: This rulemaking will not create or expand a State mandate.

11) Time, Place, and Manner in which Interested Persons May Comment on this Rulemaking: Interested persons may present their comments concerning these rules by writing within 45 days after this issue of the *Illinois Register* to:

Paul Thompson
Division of Legal Services
Illinois Department of Public Health
535 West Jefferson, Fifth Floor
Springfield, Illinois 62761
217/782-2043
E-mail: rules@idph.state.il.us

12) Initial Regulatory Flexibility Analysis

A) Types of Small Business, Small Municipalities, and Not For Profit Corporations Affected: Plumbing businesses

B) Reporting, Bookkeeping or Other Procedures Required for Compliance: None

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C) Types of Professional Skills Necessary for Compliance: None

13) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the 2 most recent agendas because: the timetable for the rulemaking was not established when the regulatory agendas were finalized.

The full text of the Proposed Amendments begins on the next page:

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TITLE 68: PROFESSIONS AND OCCUPATIONS
CHAPTER IV: DEPARTMENT OF PUBLIC HEALTH

PART 750
PLUMBERS LICENSING CODE

SUBPART A: GENERAL

Section
750.100 Applicability
750.110 Definitions
750.115 Statutory Authority
750.120 Administrative Hearings

SUBPART B: STATE BOARD OF PLUMBING EXAMINERS

Section
750.200 Organization of the State Board of Plumbing Examiners
750.205 Election of Officers (Repealed)
750.210 Duties of the State Board of Plumbing Examiners
750.215 Duties of Chairman (Repealed)
750.220 Records of the State Board of Plumbing Examiners
750.225 Duties of Vice-Chairman (Repealed)
750.235 Quorum (Repealed)
750.245 Meetings (Repealed)

SUBPART C: ADMINISTRATION OF AND REQUIREMENTS FOR ADMISSION TO PLUMBING LICENSE EXAMINATION

Section
750.300 Requirements for Admission to the Plumbing License Examination ~~Exam~~
750.310 Administration of the Plumbing License Examination
750.320 Plumbing License Examination Results
750.330 Course Credit (Repealed)

SUBPART D: LICENSING OF PLUMBERS AND APPRENTICE PLUMBERS ~~PLUMBING PROGRAM-FEES~~

Section
750.400 Licensing of Plumbers
750.410 Licensing of Apprentice Plumbers
750.420 Documentation Required for Sponsors of Apprentices
750.430 Plumbers' and Apprentice Plumbers' License Records

SUBPART E: CONTINUING EDUCATION REQUIREMENTS FOR LICENSED PLUMBERS AND DEPARTMENT APPROVAL OF PLUMBING COURSES

Section

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750.500 Continuing Education Requirements for Licensed Plumbers
750.510 Department Approval of Continuing Education Sponsors and Courses
750.520 Continuing Education Course Records
750.530 Department Approval and Evaluation of Courses of Instruction in Plumbing
750.540 Topics for Approved Programs of Instruction in Plumbing and Approved Continuing Education Courses ~~Evaluation of Course Instruction~~
750.550 Programs of Instruction and Practical Training in Plumbing Approved as Equivalent to Illinois Licensed Apprenticeship

SUBPART F: REQUIREMENTS FOR PLUMBING FIRMS

Section
750.600 Organization of ~~Training Requirements Pertaining to~~ Plumbing Firms

SUBPART G: CERTIFICATION OF PLUMBING INSPECTORS

Section
750.700 Purpose and Authority for Certification of Plumbing Inspectors
750.710 Certification of Plumbing Inspectors
750.720 Renewal of Plumbing Inspector Certification and Continuing Education Requirements for Certified Plumbing Inspectors
750.730 Responsibilities of Certified Plumbing Inspectors

SUBPART H: APPROVAL OF PLUMBING PROGRAMS ESTABLISHED BY GOVERNMENTAL UNITS

Section
750.800 Governmental Units Establishing Plumbing Programs

SUBPART I: VIOLATIONS OF PLUMBER'S LICENSE AND PLUMBING INSPECTOR'S CERTIFICATION

Section
750.900 Plumber's and Apprentice Plumber's License Violations ~~Plumbing License Revocation~~
750.910 Certified Plumbing Inspector Violations

SUBPART J: CIVIL PENALTIES FOR UNLICENSED PLUMBERS

Section
750.1000 Civil Penalties for Unlicensed Plumbers

SUBPART K: ADMINISTRATIVE FEES

750.1100 Plumbers' and Apprentice Plumbers' Examination and Licensure Fees
750.1110 Other Fees

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AUTHORITY: Authorized by and implementing the Illinois Plumbing License Law [225 ILCS 320] and authorized by Sections 16 and 60(7) of the Civil Administrative Code of Illinois.

SOURCE: Adopted at 2 Ill. Reg. 40, p. 1, effective October 1, 1978; codified at 5 Ill. Reg. 10870; Part repealed, new Part adopted at 13 Ill. Reg. 19564, effective December 1, 1989; emergency amendment at 16 Ill. Reg. 12785, effective July 30, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 417, effective December 28, 1992; recodified at 23 Ill. Reg. 14649; amended at 24 Ill. Reg. _____, effective _____.

SUBPART A: GENERAL

Section 750.110 Definitions

For the purposes of this Part:

"Act" means the Illinois Plumbing License Law [225 ILCS 320].

"Agent" means an Illinois licensed plumber designated by a sponsor of an apprentice plumber as responsible for supervision of the apprentice plumber.

"Apprentice plumber" means any licensed person who is learning and performing plumbing under the supervision of a sponsor or his agent in accordance with the provisions of the *Act.* (Section 2 of the Act)

"Approved apprenticeship program" means an apprenticeship program approved by the U.S. Department of Labor's Bureau of Apprenticeship and Training and the Department under this Part, including Joint Apprenticeship Committee (JAC) Programs. (Section 2 of the Act)

"Board" means the Illinois State Board of Plumbing Examiners. (Section 2 of the Act)

"Certification" means the act of obtaining or holding a certificate of competency in plumbing inspection from the Department, pursuant to this Part.

"Certified plumbing inspector" means any licensed plumber to whom the Department has issued a certificate of competency to inspect plumbing in Illinois.

"Conflict of interest" means for a licensed plumbing inspector, or his or her agent or employee, to perform plumbing work and later conduct a certified inspection of the same plumbing work.

"Continuing education credit hour" means that 50 minutes of classroom

time, excluding breaks, is equivalent to one credit hour.

"Course" means any class, seminar or other program of instruction in plumbing that has been approved by the Department for the purpose of complying with continuing education requirements.

"Course sponsor" means the person or legal entity who is registered pursuant to this Part and who is responsible for conducting a continuing education course approved by the Department.

"Department" means the Illinois Department of Public Health, plumbing program. (Section 2 of the Act)

"Director" means the Director of the Illinois Department of Public Health. (Section 2 of the Act)

"Governmental unit" means a city, village, incorporated town, county or sanitary or water district.

"Incompetence" means conduct in the performance of plumbing work that indicates a lack of ability to discharge the duties required to protect the health, safety and welfare of the public; failure to maintain competency in applying the standards set forth in the Illinois Plumbing Code; lack of knowledge of the fundamental principles of plumbing inspection or an inability to apply these principles; or failure to maintain competency in current plumbing inspection practices.

"Misconduct" means an act performed in the discharge of enforcement duties that jeopardizes the interests of the public, including violation of federal or State laws, local ordinances or administrative rules relating to the position, preparation of deficient or falsified reports, failure to submit information or reports required by law or contract when requested by the municipality or the Department, conduct that evidences a lack of trustworthiness, misrepresentation of qualifications such as education, experience or certification, illegal entry of premises, misuse of funds, or misrepresentation of authority.

"Retired plumber" means any licensed plumber in good standing who meets the requirements of the *Act and* this Part *to be licensed as a retired plumber and voluntarily surrenders his plumber's license to the Department, in exchange for a retired plumber's license. Retired plumbers cannot perform plumbing as defined in* the *Act, cannot sponsor or supervise apprentice plumbers, and cannot inspect plumbing under* the *Act.* (Section 2 of the Act)

"Revoke" means to permanently remove the plumbing license of a licensed plumber for violations of the Illinois Plumbing License Law,

Illinois Plumbing Code or this Part.

"Sponsor" means *an Illinois licensed plumber or an approved apprenticeship program that has accepted an individual as an Illinois licensed apprentice plumber for education and training in the field of plumbing and whose name and license number or apprenticeship program number shall appear on the individual's application for an apprentice plumber's license.* (Section 2 of the Act)

"Suspend" means to temporarily remove the plumbing license of a licensed plumber for violations of the Illinois Plumbing License Law, Illinois Plumbing Code or this Part.

"Telecommunications carrier" means a telecommunications carrier as defined in the Public Utilities Act. (Section 2 of the Act)

(Source: Added at 24 Ill. Reg. _____, effective _____)

Section 750.115 Statutory Authority

These rules are promulgated under authority of the Illinois Plumbing License Law [225 ILCS 320] ~~(Ill. Rev. Stat. 1991, ch. 111, par. 1101 et seq)~~.

(Source: Amended at 24 Ill. Reg. _____, effective _____)

SUBPART B: STATE BOARD OF PLUMBING EXAMINERS

Section 750.200 Organization of the State Board of Plumbing Examiners

The State Board of Plumbing Examiners is comprised of 9 licensed plumbers who are appointed by the Director. A quorum of Board members must be present at all meetings convened by the Chairman of the State Board of Plumbing Examiners and at each plumbing license examination. Five members of the Board shall constitute a quorum.

(Source: Added at 24 Ill. Reg. _____, effective _____)

Section 750.205 Election of Officers (Repealed)

~~At the first regularly scheduled meeting of the Board of Plumbing Examiners in each calendar year, the Board shall elect a Chairman and Vice-Chairman.~~

(Source: Repealed at 24 Ill. Reg. _____, effective _____)

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Section 750.210 Duties of the State Board of Plumbing Examiners

The State Board of Plumbing Examiners, as provided in the Illinois Plumbing License Law, exercises its duties under the supervision of the Department by:

a) preparing subject matter for the plumbing license examination;
b) assisting the Department in administering the plumbing license examination;
c) grading completed plumbing license examinations and reporting the results to the Director;
d) suggesting revisions to rules governing the plumbing license examination and hearings for suspension, revocation or reinstatement; and
e) submitting recommendations to the Director for the efficient administration of the Illinois Plumbing License Law.

(Source: Added at 24 Ill. Reg. _____, effective _____)

Section 750.215 Duties of Chairman (Repealed)

~~Duties of the Chairman shall be as follows:~~

~~a) To preside over each plumbing license examination given to applicants for a plumber's license.~~
~~b) To preside over each meeting of the Board.~~
~~c) To assure that a quorum of Board members is present at each meeting of the Board and each plumbing license examination.~~
~~d) To assure that at least one member of the Board is present at each hearing held by the Department on the denial, suspension, revocation or reinstatement of plumbing licenses.~~

(Source: Repealed at 24 Ill. Reg. _____, effective _____)

Section 750.220 Records of the State Board of Plumbing Examiners

a) Minutes shall be recorded at each meeting of the State Board of Plumbing Examiners. Such minutes shall be maintained and made available for public inspection in the central office of the Department.
b) Records, files, correspondence and examination data pertaining to the Board of Plumbing Examiners shall be filed and secured in the central office of the Department.
c) Applicants may, by appointment, review their examination results with the Department if requested in writing within 30 days following the examination date.

(Source: Added at 24 Ill. Reg. _____, effective _____)

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Section 750.225 Duties of Vice-Chairman (Repealed)

~~Duties of the Vice-Chairman shall be the same as those of the Chairman in the event of the Chairman's absence.~~

(Source: Repealed at 24 Ill. Reg. _____, effective _____)

Section 750.235 Quorum (Repealed)

~~Five (5) members of the Board shall constitute a quorum.~~

(Source: Repealed at 24 Ill. Reg. _____, effective _____)

Section 750.245 Meetings (Repealed)

~~a) If it is necessary to convene a meeting of the Board or hold an examination when the Chairman and Vice-Chairman cannot attend, the Board member with the longest tenure on the Board that attends the meeting shall act as Chairman.~~
~~b) The Board shall meet on the first day of each examination as a minimum. Additional meetings may be convened as necessary at the request of the Department.~~
~~c) The Illinois Department of Public Health shall assure that the Board's meeting agenda is prepared; a written record of business conducted at each Board meeting is kept; and the records, files, correspondence and examination data pertaining to the Board of Plumbing Examiners' activities are maintained.~~
~~d) The written record or minutes of each meeting of the Board shall be signed by the Chairman and each Board member present. A copy of the signed record or minutes shall be provided to each Board member.~~
~~e) Records, files, correspondence and examination data pertaining to the Board of Plumbing Examiners shall be filed and secured in the central office of the Department.~~

(Source: Repealed at 24 Ill. Reg. _____, effective _____)

SUBPART C: ADMINISTRATION OF AND REQUIREMENTS FOR ADMISSION TO PLUMBING LICENSE EXAMINATION

Section 750.300 Requirements for Admission to the Plumbing License Examination Exam

a) ~~To Each person desiring to~~ apply for admittance to the examination for a plumber's license, a person shall file an application for examination on forms provided by the Department.

1) The application form ~~These forms~~ may be obtained by writing to the Illinois Department of Public Health, 828 S. Second Street ~~525 West Jefferson Street~~, Springfield, Illinois 62704 ~~62761~~.
2) Applications will be accepted if postmarked at least 30 days before the examination date. On each examination date, not more than 50 applicants (not more than 40 during winter months) will be examined. The examination will be scheduled at least once every three months. The Department and the Board may schedule additional examination dates as they deem necessary, based on the number of applicants.
3) Examination dates and locations shall be established by the Department and the Board and shall be included with the examination application form.

b) For each application the following materials must be received by the Department, postmarked at least 30 days before the examination date: ~~A completed application (with a photograph of the face of the applicant at least 1 1/2 inches by 2 1/2 inches) must be filed at least 30 days prior to the examination date. Applications will be accepted if postmarked prior to the 30 day cutoff date and providing the number of applicants has not exceeded 100. Applicants in excess of 100 shall be scheduled for the next examination(s). Examination dates shall be established by the Department and the Board. The location and facilities for the examination shall be selected by the Department and shall be announced at the same time as the examination date.~~
   1) a completed application form;
   2) a photograph of the face of the applicant at least 1 1/2 inches by 2 1/2 inches;
   3) proof of eligibility as specified in subsection (e);
   4) the required non-refundable application fee as specified in Section 750.1100.

c) The applicant shall be a citizen of the United States or shall have declared his or her intent to become a citizen. (Notarized papers, such as "Intent to File for Citizenship", shall be submitted to the Department.) ~~Each applicant must send with the application the required application fee specified in Section 740.4000 of this Part.~~

d) The applicant shall have completed at least a 2 year course of study in a high school, or an equivalent course of study, equal to 10 credit hours; ~~Each applicant must have been an Illinois licensed apprentice plumber for at least four years or have submitted evidence that he has successfully completed an approved course of instruction in plumbing as defined in Section 750.3030 (a) and (b) of this Part. An applicant for licensing by the Department as an apprentice plumber shall apply on the application form provided by the Department. If the applicant served an apprenticeship, the application shall verify that the applicant was sponsored by an Illinois licensed plumber and shall contain the name and license number of the sponsor.~~

e) To be eligible for the plumbing license examination, an applicant shall possess one of the following combinations of experience and education and must provide proof of such experience and education as specified below: ~~Each applicant must submit evidence that he is a citizen of the United States or has declared his intention to become one. (Notarized papers such as "Intent to File for Citizenship Form N-315", "Naturalization Paper", shall be submitted to the Department.)~~

1) Illinois Licensed Apprentice Plumber
   A) Each applicant must have served a minimum of 4 years as an Illinois licensed apprentice plumber.
   B) Each applicant who has served an apprenticeship must be able to establish that he or she received instruction through practical experience under the supervision of a licensed plumber.
   C) The term of apprenticeship shall be not less than 1400 hours per year, for a total of 5600 hours in 4 years.
2) Illinois Licensed Apprentice Plumber with Training or Education
   A) Each applicant must have served at least 2 years as an Illinois licensed apprentice plumber and have 2 years of approved courses in plumbing (see Section 750.540) for a total of 5600 hours.
   B) Proof of practical experience shall be provided as specified in subsection (e)(1)(B).
   C) A person who submits evidence of classroom and/or laboratory training in a vocational or trade school, a branch of the military service, or a college or university shall be given credit hours at the rate of two credit hours for each classroom hour, not to exceed a maximum of 24 months' credit.
   D) Evidence shall consist of transcripts, degrees, military service records and/or certificates of completion. If the course submitted by an applicant for the plumbing license examination has already been evaluated and approved by the Department, the applicant need only verify participation in the course.
3) Licensed Apprentice in Another of the United States
   A) Each applicant must have the equivalent of 4 years as a licensed apprentice in another of the United States.
   B) Proof of practical experience shall be provided as specified in subsection (e)(1)(B).
   C) A person who submits evidence of experience in plumbing through an apprentice plumbing program in another of the United States, or a municipality therein, other than the State of Illinois shall be given credit on an hour for hour basis toward the minimum four years apprenticeship required.
4) A person who has completed a course of study approved by the Department as equivalent to a 4 year apprenticeship served by an Illinois licensed apprentice plumber.
   A) An approved course of instruction in plumbing shall cover the subject areas and provide the number of hours of

instruction and practical training specified in Section 750.550. An approved course of instruction shall total 2800 hours of credit.

B) Evidence shall consist of transcripts, degrees, and/or certificates of completion to verify completion of a course that has been evaluated and approved by the Department.

5) Licensed Plumber in Another of the United States with No Apprentice Plumber Program

A) Documents verifying licensure and plumbing experience and training will be considered on an hour for hour basis toward meeting the apprenticeship requirement of 1400 hours per year. A plumber would need to obtain documentation from the licensing state or municipality to verify to the Department that he/she was tested to obtain his/her license and that the test consisted of at least three areas -- knowledge of plumbing design, practical or working skill evaluation, and knowledge of plumbing standards applicable to the licensing entity's jurisdiction (see Section 750.310).

B) A copy of the rules from the licensing entity pertaining to the licensing of plumbers must accompany the examination application.

6) Licensed Plumber in A Foreign State

A) Each applicant shall have at least 2 years of experience as an Illinois licensed apprentice plumber or 2 years of courses in plumbing, approved in accordance with Section 750.540.

B) Documentation of applicant's license issued by a foreign state must be submitted.

~~f) A person who possesses a current plumber's license or expired license in a state or municipality other than Illinois which does not have reciprocity with Illinois may be admitted to the examination for an Illinois plumber's license if he submits a copy of his license and information required under subsections (i) and (j) below concerning experience in plumbing equivalent to four years licensed apprenticeship. Documents verifying licensure and plumbing experience and training will be considered on an hour for hour basis toward meeting the apprenticeship requirement of 1400 hours per year. The licensing state or municipality must verify to the Department that the licensed plumber was tested to obtain his license and that the test consisted of at least three areas (See Section 750.3010) knowledge of plumbing design, practical or working skill evaluation, and knowledge of plumbing standards applicable to the licensing entity's jurisdiction.~~

~~g) A person who has been licensed as a plumber for five (5) consecutive years in a municipality or state other than the State of Illinois, that does not have a licensed apprenticeship program, may be admitted to the Illinois plumbing examination upon submission of written documentation and verification of such licensure from the licensing entity. A copy of the rules from the licensing entity pertaining to the licensing of plumbers and apprentice plumbers, must accompany the examination application.~~

~~h) An applicant from a foreign country, who holds a foreign plumbing license, shall meet the requirements of subsections (f) or (g) above and shall serve a two (2) year licensed apprenticeship in Illinois before being granted admission to the plumbing examination.~~

~~i) A person who submits evidence of experience in plumbing through an apprentice plumbing program in a state or municipality other than the State of Illinois shall be given credit on an hour for hour basis toward the minimum four years apprenticeship required.~~

~~j) A person who submits evidence of classroom and/or laboratory training in a vocational or trade school, a branch of the military service, or a college or university shall be given credit hours at the rate of two credit hours for each classroom hour toward the minimum 5,600 credit hours required. Evidence shall consist of transcripts, degrees, military service records and/or certificates of completion. If the course submitted by an applicant for the plumbing license examination has already been evaluated and approved by the Department, the applicant need only verify participation in the course.~~

~~k) Each applicant must submit evidence that he has completed at least a two year course of study in a high school or an equivalent course of study.~~

~~l) Each applicant who has served an apprenticeship must be able to establish that he was learning by practical experience under the supervision of a licensed plumber as documented in subsection (i) above. The term of apprenticeship shall be not less than four years (1400 credited hours per year) to be eligible for admittance to the plumbing exam.~~

~~m) Any applicant who fails to comply with the above requirements or lacks the qualifications will have his application for admittance to the examination denied.~~

(Source: Amended at 24 Ill. Reg. _____, effective _____)

Section 750.310 Administration of the Plumbing License Examination

The examinations administered to applicants for a plumber's license shall be uniform and comprehensive and shall test applicants' knowledge and qualifications in the planning and design of plumbing systems; their knowledge, qualifications, and manual skills in plumbing; and their knowledge of the State's minimum code of standards relating to fixtures, materials, design and installation methods of plumbing systems (the Illinois Plumbing Code).

a) The examination for a plumber's license shall consist of the following ~~three~~ parts:

1) Written questions (true/false or multiple choice). Questions will be based on ~~come from~~ the Illinois Plumbing Code ~~or relate~~

~~to plumbing activities~~. All applicants shall be required to read the examination questions and write the answers unassisted.

2) Drawings and/or charts. The applicant will be required to complete ~~finalize~~ charts that show plumbing fixtures and that require drainage and vent lines to be added ~~indicated~~.

3) Practical (shop). Projects ~~will be assigned to each applicant~~ requiring copper, cast iron, lead and plastic to be assembled as indicated in the assignment will be assigned to each applicant. All three ~~(3)~~ parts of the practical examination shall be completed before any part is eligible for grading.

b) An applicant who is handicapped will be assisted with unloading, carrying, and reloading of tools or equipment; but the applicant must take all parts of the examination unassisted.

c) Each applicant will be responsible for providing his own tools and other required material. Each applicant will be advised in writing as to what to bring to the examination.

d) No persons other than the Board, Department staff, and those persons directly associated with the examinee for the transport of necessary equipment, are permitted in the examination area.

e) Any examinee wearing a shirt, jacket, cap or any article of clothing bearing pictures, writing, inscriptions or logos of any kind will not be permitted into the exam. Safety glasses shall be worn at all times when in the shop. ~~The maximum grade value of each part of the examination shall be 100 points. An examinee must make an average of 75 or above on the examination and a grade of 61 or above on each part of the examination to pass.~~

f) Upon starting the examination, an examinee will not be permitted to leave the exam area without permission. ~~An examinee who fails to pass the examination shall be admitted to a subsequent regularly scheduled exam after filing a new application and fee. Such application and fee shall be submitted in accordance with Section 750.3000 (a), (b), and (c).~~

g) The maximum grade value of each part of the examination shall be 100 points. An examinee must make an average of 75 or above on the examination and a grade of 61 or above on each part of the examination to pass. ~~Examinees who fail to pass the examination for a plumber's license shall retake all parts of the examination.~~

h) An examinee who fails to pass the examination shall be admitted to a subsequent regularly scheduled exam after filing a retake application form and fee. Such application and fee shall be submitted in accordance with Section 750.300. ~~An examinee who is caught cheating during the course of an examination shall be immediately expelled from the examination in progress and shall appear before the Board of Plumbing Examiners and representatives of the Department on the day that such offense occurs. The Board shall recommend the examination be declared void and/or a hearing be convened by the Department to suspend the apprentice plumber's license if, by a preponderance of evidence, it is determined that the examinee is guilty of cheating. A written record of the proceedings shall be made and become a part of the examinee's file. The Board shall make as a part of the record its recommendations concerning the disposition of the case to the Department. The Board shall be advised of the final decision of the Department concerning the examinee.~~

i) An examinee who fails to pass the examination and applies to take the examination again shall retake all parts of the examination, even if the examinee passed one or more parts of the examination the first time it was taken.

j) An examinee who is observed cheating during the course of an examination shall be immediately expelled from the examination in progress and shall appear before the Board of Plumbing Examiners and representatives of the Department on the day that such offense occurs. The Board shall recommend the examination be declared void. A written record of the meeting shall be made and become a part of the examinee's file. The Board shall make as a part of the record its recommendations concerning the examinee and shall forward such recommendations to the Department.

1) The Department shall send to the applicant a notice of intent to deny or suspend the applicant's license. The applicant must request in writing a hearing within the time specified in the notice. If the applicant does not request a hearing in writing within the time specified in the notice, the applicant's right to a hearing shall be waived.

2) All hearings shall be conducted in accordance with the Department's Rules of Practice and Procedure in Administrative Hearings (77 Ill. Adm. Code 100).

3) The Department shall advise the Board of its final decision concerning the examinee.

(Source: Amended at 24 Ill. Reg. _____, effective _____)

Section 750.320 **Plumbing License** Examination Results

The name of each examinee and the results of the examination given to each examinee shall be recorded by written report of the State Board of Plumbing Examiners. ~~and such report shall be signed by the presiding Board chairman and each member in attendance. A copy of the signed report shall be provided to the Director of the Department of Public Health.~~ The results of each exam shall be confidential until announced to the examinee. Upon signature by the Director, the examination results report will be considered final and approved by the Board and Department.

a) The ~~Upon finalization of the examination results, the~~ Department shall ~~by letter~~ notify each examinee in writing of the results of his or her examination.

b) The application for examination, fee receipt, examination and ~~all~~ other ~~forms or~~ written materials deemed necessary shall be maintained

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by the Department ~~material pertaining to an examinee shall be kept in the examinee's file maintained by the Department~~.

c) An examinee may submit ~~register~~ a written complaint concerning the examination if he is dissatisfied with ~~the grade received or~~ the conduct of the examination. Such complaints shall be submitted in writing and must be received by the Department within 30 days after notification of the examination results. Complaints must be factual and state the basis being used by the examinee to allege improper conduct ~~or grading~~.

d) Upon receipt of a complaint, a meeting between the examinee and the Board will be set for the same date as ~~the examinee will be scheduled for a meeting with the Board at~~ the next scheduled plumbing examination. The examinee will be provided an opportunity to meet with Department representatives prior to the Board meeting to attempt to resolve the complaint. A record of all such complaints and meetings shall be kept and made part of the examinee's file.

e) The examinee shall be entitled to take the examination again, at no charge, ~~a re-examination~~ if the evidence presented ~~produced~~ before the Department and Board demonstrates that:

1) the examinee was compelled by the Department or the Board to take the test under conditions that ~~which~~ placed him at a disadvantage in relation to all other examinees; ~~(b)~~

2) that Board members or Department staff offered any special assistance to other examinees; or ~~(c)~~

3) that the examinee's test was not evaluated according to the same standard ~~which was~~ applied to the tests of all other examinees. Any grading errors by the Board or Department, discovered as a result of the review of the examinee's test, shall be corrected.

f) An apprentice plumber who has served an apprenticeship under the supervision/sponsorship of an Illinois licensed plumber ~~licensed Plumber~~ and has failed the examination three ~~(3)~~ times, shall be called before the Department and Board of Plumbing Examiners to determine compliance with the requirements for supervision of apprentices ~~this part and the Illinois Plumbing Code (77 Ill. Adm. Code 890)~~. The employer/sponsor ~~Employer/Sponsor~~ must accompany the apprentice at such meeting ~~hearing~~. An examinee who fails to appear shall be ineligible for admission to the next plumber's license examination and subject to license revocation. An employer/sponsor who fails to appear shall be subject to license revocation. ~~Failure of the examinee to appear shall preclude the applicant's admittance to the next examination. If the employer/sponsor fails to appear, he shall be subject to license revocation.~~

(Source: Amended at 24 Ill. Reg. _____, effective _____)

Section 750.330 Course Credit (Repealed)

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~~If the course claimed for credit by an applicant for the plumbing license examination has already been evaluated and approved by the Department, the applicant need only verify participation in the course. Documentation shall include appropriate copies of W-2 forms verifying employment, time sheets/work records from employers, military records, college transcripts, degrees and/or vocational or trade school transcripts or degrees.~~

(Source: Repealed at 24 Ill. Reg. _____, effective _____)

SUBPART D: ~~PLUMBING PROGRAM PEES~~
LICENSING OF PLUMBERS AND APPRENTICE PLUMBERS

Section 750.400 Licensing of Plumbers

a) Initial License Examination. A person shall be licensed by the Department prior to engaging in plumbing activities. The Department shall issue a plumber's license to each qualified applicant. In order to qualify, an applicant shall:

1) Successfully pass the plumbing license examination.

2) Pay to the Department the required license fee.

b) License Renewal. All plumbers' licenses shall expire on April 30 of each year, except initial licenses issued after February 15 shall expire one year after the next April 30. A plumber's license may be renewed for a period of one year from each succeeding May 1 upon payment prior to May 1 of the required renewal fee. As a condition of renewal, a licensed plumber must provide proof of completion of four hours of continuing education in one or more courses approved by the Department.

c) License Reinstatement. *A plumber licensed pursuant to* the *Act whose license has been expired for a period of less than 5 years may apply to the Department for reinstatement of his or her plumber's license. The Department shall issue such license renewal provided the applicant pays to the Department all lapsed renewal fees, plus the reinstatement fee.* (Section 14 of the Act)

d) License Restoration. *A plumber licensed pursuant to* the *Act who has permitted his or her license to expire for more than 5 years may apply, in writing, to the Department for restoration of his or her license. The Department shall restore his or her license provided he or she pays to the Department the required restoration fee and successfully* passes *the examination for an Illinois plumber's license. The restoration fee includes the applicant's* first *examination fee. Failure by the applicant to successfully pass* the plumbing license examination *shall be sufficient grounds for the Department to withhold issuance of the requested restoration of the applicant's plumber's license. The applicant may retake the examination in accordance with the provisions of* the Act. (Section 14 of the Act)

e) Retired Plumbers' Reinstatement. *A retired plumber licensed under* the

Act who has surrendered his or her plumber's license for a period of less than 5 years may apply to the Department for reinstatement of his or her plumber's license. The Department shall renew the license provided the applicant pays to the Department any reinstatement fee required by Section 750.111 of this Part. (Section 14 of the Act)

f) Retired Plumbers' Restoration. *A retired plumber licensed under the Act who has surrendered his or her plumber's license for a period of more than 5 years may apply in writing to the Department for restoration of his or her license. The Department shall restore his or her license provided he or she pays to the Department the restoration fee required by* Section 750.1100 *and successfully passes the examination for an Illinois plumber's license. The restoration fee includes the applicant's examination fee. Failure by the applicant to successfully pass the plumber's license examination shall be sufficient grounds for the Department to withhold issuance of the requested restoration of the applicant's plumber's license. The applicant may retake the examination in accordance with the provisions of the Act.* (Section 14 of the Act)

(Source: Added at 24 Ill. Reg. _____, effective _____)

Section 750.410 Licensing of Apprentice Plumbers

a) Initial License. The Department shall issue an apprentice plumber's license to each qualified applicant. In order to qualify, an applicant shall:
   1) Be at least 16 years of age.
   2) Verify on the Department's application form that the applicant is sponsored by an Illinois licensed plumber. The name and license number of the Illinois licensed plumber or program sponsor shall be included on the application form.
   3) Pay to the Department the required license fee.

b) Renewal. All plumbers' licenses shall expire on April 30 of each year, except initial licenses issued after February 15 shall expire one year after the next April 30. An apprentice plumber's license may be renewed for a period of one year from each succeeding May 1 upon payment prior to May 1 of the required renewal fee. No licensed apprentice plumber may serve more than a 6 year licensed apprenticeship period.

(Source: Added at 24 Ill. Reg. _____, effective _____)

Section 750.420 Documentation Required for Sponsors of Apprentices

For all licensed plumbers sponsoring an apprentice, documentation shall be submitted to the Department showing the current status and position of the

licensed plumber in the plumbing business. Such documentation shall be signed by the president of a firm, sole proprietorship, or association; by a general partner of a partnership; or by the secretary of the board of directors of a corporation. Acceptable documentation includes the following:

a) Corporations: Minutes of the meeting of the board of directors during which a licensed plumber was appointed to fill a corporate office provided for in the by-laws of the corporation. By-laws of the corporation must be submitted in addition to minutes if the licensed plumber is appointed to any corporate office other than president, vice-president, secretary or treasurer.

b) Partnerships: A copy of the written partnership agreement. If the written partnership agreement has been executed, a letter describing the partnership, business activities of the partnership, local business licenses, and the status of the licensed plumber within the partnership.

c) Sole Proprietorships, Firms and Associations: A letter describing the form of business, general business activities, local business licenses, and the status of the licensed plumber within the firm or association. A firm or association that is doing business as a corporation or partnership shall comply with subsections (a) and (b).

(Source: Added at 24 Ill. Reg. _____, effective _____)

Section 750.430 Plumbers' and Apprentice Plumbers' License Records

The Department may destroy any record relating to a plumber's license or apprentice plumber's license on which there has been no activity, such as license renewal or restoration, within the previous five ~~twenty~~ years.

(Source: Amended at 24 Ill. Reg. _____, effective _____)

SUBPART E: CONTINUING EDUCATION REQUIREMENTS FOR LICENSED PLUMBERS AND DEPARTMENT APPROVAL OF PLUMBING COURSES

Section 750.500 Continuing Education Requirements for Licensed Plumbers

a) Each licensed plumber shall, as a condition of each annual license renewal after the first license renewal, provide proof of completion of 4 hours of continuing education. Such continuing education hours must be completed in one or more courses offered by course sponsors approved by the Department pursuant to Section 750.510.

b) A licensed plumber is not required to complete continuing education for the year in which the person's plumbing license was initially issued.

c) A licensed retired plumber is not required to complete continuing education unless the licensed retired plumber wishes to restore his or

her license to the status of a licensed plumber. The Department will determine the number of continuing education hours required for such a change in licensure, based on the length of time the plumber has been retired.

d) Licensed plumbers who have been found to have committed repeated violations of the Illinois Plumbing Code shall complete a minimum of 2 hours of additional continuing education conducted by the Department, at a time and location to be determined by the Department.

(Source: Added at 24 Ill. Reg. _____, effective _____)

Section 750.510 Department Approval of Continuing Education Sponsors and Courses

The Department shall maintain a list of approved continuing education course sponsors. Sponsors may include universities, colleges, professional trade associations, unions, vocational schools, firms, individuals, corporations, or any entity that meets the criteria provided by the Department and the Board of Plumbing Examiners.

a) Registration. Each continuing education course sponsor shall register with the Department before submitting course materials for approval by the Department. Registration shall be valid for three years from the date of issuance.

1) Course sponsors shall register using a form provided by the Department and shall include:

A) the name, address, and phone and fax numbers of the applicant;

B) the names and addresses of any persons who have received or will receive any portion of revenues generated from the course.

2) The course sponsor shall report to the Department any change to the information submitted in the initial registration within 30 days after such change takes effect.

b) Continuing education course approval.

1) A separate application for approval must be submitted to the Department on forms provided by the Department for each course offered by a course sponsor.

2) An application for approval of a continuing education course may be submitted only by sponsors registered with and approved by the Department.

3) A continuing education course shall provide instruction in at least one of the subject areas specified in Section 750.540.

4) A course application shall include a course syllabus containing the following information: name and assigned number of the course, name and registration number of the sponsor, name of the instructor or presenter, an outline of the course, the amount of time needed to present the course, and the course objectives.

5) A syllabus is not required for seminars held at product shows, but the application for approval shall include the name and assigned number of the seminar, name and registration number of the sponsor, name of the instructor or presenter, the amount of time needed to present the seminar, and the objectives of the seminar.

6) A course application shall include the qualifications of the instructor or presenter.

7) The course sponsor shall report to the Department any change to the information submitted in the initial application for continuing education course approval within 30 days after such change takes effect.

8) Course approval is valid for three years from the date of issuance, unless changes in course information do not meet the approval criteria of this Section.

9) Courses will be assigned a course number. The course number and the sponsor's number shall appear on all advertisements for the course.

10) Seminars held at product shows may be approved for continuing education credit by the Department, based on the material presented and the length of the seminar. The sponsor or facilitator of the product show must be a registered course sponsor.

c) The Department may deny, suspend or revoke approval of any course sponsor or may issue a fine to any course sponsor who:

1) Attempts to obtain or obtains registration or course approval through fraudulent means, including false statements and misrepresentation of facts, whether intentional or through negligence;

2) Does not provide complete and accurate information in either the initial registration or in any notification of changes to such information;

3) Does not provide the Department with changes to the information submitted in the initial registration, within 30 days after such changes take effect;

4) Advertises a course as being approved by the Department before such approval is received;

5) Does not maintain records as required in subsection (c) of this Section;

6) Does not report information to the Department as required in subsections (a) and (b) of this Section.

(Source: Added at 24 Ill. Reg. _____, effective _____)

Section 750.520 Continuing Education Course Records

a) Each registered continuing education course sponsor shall establish

and maintain records for each course sponsored as follows:

1) A certificate of completion on a form provided by the Department must be completed for each participant enrolled in an approved continuing education course. The form consists of three parts: the first copy shall be filed with the Department, the second part shall be maintained by the sponsor, and the third part shall be given to the participant upon completion of the course.

2) An attendance sign-in/sign-out sheet shall be used for each course. This form shall be maintained with the course records.

3) Information on each student (name, address, courses registered for, attendance, courses completed).

b) Random audits of a course sponsor's continuing education records may be conducted by the Department.

c) A representative of the Department may, at any time, attend a class to ensure that the course is meeting its stated objectives and that all applicable Department rules are being followed.

(Source: Added at 24 Ill. Reg. _____, effective _____)

Section 750.530 Department Approval and Evaluation of Courses of Instruction in Plumbing

a) A college, university, trade school or vocational school that has established a program providing a course of instruction in plumbing may submit a letter to the Department requesting approval of its program or course of instruction.

1) The request for approval shall include information on the curriculum offered by the program, qualifications of the instructors, and information indicating that the teaching facility to be used for the program provides both shop and classroom facilities.

2) For a program to be approved, it must provide instruction in plumbing courses.

b) The Department shall evaluate a training program before making a determination to approve or deny a request for approval. Approval will be granted based on the information included in the request letter, including confirmation of the qualifications of the instructors, evidence that the program's courses provide instruction in the subject areas specified in Section 750.540, and determination that the teaching facility provides both shop and classroom facilities.

c) Each instructor participating in a program of instruction in plumbing shall be considered qualified by meeting one of the criteria specified in subsections (c)(1) through (3) below. Verification of such license or certificate shall be required by the Department. A copy of the instructor's teaching license will establish such verification.

1) an Illinois licensed plumber;

2) an individual who possesses a provisional vocational certificate,

issued by the State Board of Education pursuant to Section 21-10 of the Illinois School Code [105 ILCS 5/21-10], in a field related to plumbing (such as hydraulics, pneumatics, or water chemistry).

3) a representative of an industry or a manufacturing business related to plumbing, including, but not limited to, the copper industry, plastic pipe industry or cast iron industry. Courses that are taught by industry representatives shall be educational and shall not be sales oriented.

d) The Department may evaluate an approved program to determine the ongoing effectiveness of the training program. An evaluation shall be conducted:

1) as the result of a complaint to the Department;

2) upon the failure of 25% of students from the program who complete the plumbing license examination; or

3) as a result of changes in the curriculum.

e) The program's curriculum will be evaluated for compliance with the list of topics for courses of instruction in plumbing in Section 750.540.

f) The program's facilities will be evaluated for the type of tools, condition of tools, safety devices, and ventilation for the discharge of heat, smoke, and fumes.

g) The Department shall notify the training program sponsor of all deficiencies determined in the evaluation.

1) The program sponsor shall contact the Department within 15 days after receiving the notice of deficiencies to arrange a plan of correction for the deficiencies. The program sponsor shall have 90 days from the date of the notice of deficiencies to remedy the deficiencies.

2) If the deficiencies are not remedied within the time frame specified in subsection (a) above, the Department's approval shall be withdrawn in writing. Upon such action, the training program sponsor shall have the right to request a hearing. (See Section 750.120.)

(Source: Added at 24 Ill. Reg. _____, effective _____)

Section 750.540 Topics for Approved Programs of Instruction in Plumbing and Approved Continuing Education Courses ~~Evaluation of Course of Instruction~~

Approved courses of instruction in plumbing shall provide instruction in the topics specified in subsections (a) through (dd) below. Approved continuing education courses shall provide instruction in at least one of the topics specified below.

~~a) A college, university, trade school or vocational school which has established a program providing for a course(s) of instruction in plumbing may submit a letter to the Department requesting approval or~~

~~recognition of its program or as an approved course of instruction in plumbing. For a facility to be approved as an approved course of instruction in plumbing, its program must provide for a minimum of 5,600 credit hours of instruction. Approval will be granted based on the information in the letter, confirmation of the instructors' qualifications, and determination that the teaching facility provides both shop and classroom facilities.~~

~~b)~~ ~~An approved course of instruction in plumbing shall include the following:~~

~~a)~~ 1) Public Health and its relationship to plumbing;

~~b)~~ 2) State of Illinois Plumbing License Law;

~~1)~~ A) administration and enforcement;

~~2)~~ B) licensing of apprentice plumbers and plumbers;

~~3)~~ C) plumbing code requirements;

~~4)~~ D) plumbing inspection;

~~c)~~ 3) Basic principles of plumbing;

~~d)~~ 4) Planning and designing a plumbing system including estimating, installation, repair, maintenance, alteration, extension, and dismantling;

~~e)~~ 5) Plumbing materials, fixtures, and equipment;

~~f)~~ 6) Joints and connections;

~~g)~~ 7) Traps and cleanouts;

~~h)~~ 8) Interceptors and separators;

~~i)~~ 9) Hangers and supports;

~~j)~~ 10) Indirect waste piping and special wastes;

~~k)~~ 11) Water supply and distribution system;

~~l)~~ 12) Public and private water supply systems;

~~m)~~ 13) Drainage system;

~~n)~~ 14) Private sewage disposal systems, municipal or public sewage disposal systems, and/or sanitary districts;

~~o)~~ 15) Vents and venting systems;

~~p)~~ 16) Inspection and testing of a plumbing system;

~~q)~~ 17) Sciences of pneumatics and hydraulics as they apply to plumbing;

~~r)~~ 18) Safety devices allied with a plumbing system;

~~s)~~ 19) Hot water systems and water heaters;

~~t)~~ 20) Soldering, welding, caulking, and wiping;

~~u)~~ 21) Copper material plumbing system;

~~v)~~ 22) Glass material plumbing system;

~~w)~~ 23) Plastics and thermoplastics material plumbing system;

~~x)~~ 24) Cast iron plumbing system, including Durham system;

~~y)~~ 25) Job safety;

~~z)~~ 26) Use and care of tools and equipment;

~~aa)~~ 27) Handling and disposition of wastes that would damage a plumbing system and sewage disposal facilities;

~~bb)~~ 28) Alternate plumbing systems;

~~cc)~~ 29) Solar plumbing systems; and

~~dd)~~ 30) Pumping of wastes.

~~c)~~ ~~Each instructor participating in a course of instruction in plumbing~~

~~shall be a licensed plumber or an individual possessing a provisional vocational certificate, issued by the Illinois Board of Education, in a field related to plumbing (such as hydraulics, pneumatics, water chemistry, etc.), or an individual who has graduated from a vocational or trade school in the field of plumbing. Verification of such license or certificate shall be required by the Department. A copy of the instructor's teaching license will establish such verification.~~

~~d)~~ ~~The Department shall evaluate a training facility prior to a decision to approve or deny an application. The Department shall evaluate a facility subsequent to an approval of such facility to substantiate the ongoing effectiveness of the training program. The training facility will be evaluated for the type of tools, condition of tools, safety devices and ventilation for the discharge of heat, smoke, and fumes. Such evaluation shall be conducted as the result of receipt of complaints, a failure rate of 25% of the examinees of the examination from the facility in question, or as a result of changes in the curriculum. The Department shall notify the training program of all deficiencies. If the deficiencies are not remedied within 90 days the Department's approval shall be withdrawn in writing. Upon such action, the training facility shall have the right to request a hearing. See Section 750.3060.~~

(Source: Amended at 24 Ill. Reg. _____, effective _____)

Section 750.550 Programs of Instruction and Practical Training in Plumbing Approved as Equivalent to Illinois Licensed Apprenticeship

A program of instruction and practical training in plumbing that is approved as equivalent to 4 years of an Illinois licensed apprenticeship shall cover the following subject areas and and provide the number of hours of instruction and practical training specified in this Section. An approved course of instruction shall total 2800 hours of credit.

Subject	Hours of Instruction
Public Health and its relationship to plumbing	140
State of Illinois Plumbing License Law	24
Administration and enforcement	40
Licensing of apprentice plumbers and plumbers	16
Plumbing Code requirements	20
Plumbing inspection	30

Basic principles of plumbing	40
Job safety	52
Sciences of pneumatics and hydraulics as they apply to plumbing	60
Use and care of tools and equipment	16
Plumbing materials, fixtures, and equipment	100
Joints and connections	81
Water supply and distribution system	120
Indirect waste piping and special wastes	90
Hangers and supports	20
Interceptors and separators	40
Traps and cleanouts	42
Drainage system	110
Vents and venting systems	134
Soldering, welding, caulking and wiping	128
Cast iron plumbing system, including Durham system	155
Copper material plumbing system	150
Glass material plumbing system	40
Plastics and thermoplastics material plumbing system	60
Alternate plumbing systems	55
Solar plumbing systems	40
Hot water systems and water heaters	90
Safety devices allied with a plumbing system	50
Pumping of waste	63

Handling and disposition of wastes that would damage a plumbing system and sewage disposal facilities	120
Inspection and testing of a plumbing system	120
Private sewage disposal systems, municipal or public sewage disposal systems, and/or sanitary districts	120
Public and private water supply systems	134
Planning and designing a plumbing system including estimating, installation, repair, maintenance, alteration, extension, and dismantling	300

(Source: Added at 24 Ill. Reg. _____, effective _____)

SUBPART F: REQUIREMENTS FOR PLUMBING FIRMS

Section 750.600 Organization of Plumbing Firms ~~Training---Requirements Pertaining to Plumbing Firms~~

The licensed plumber who is a corporate officer shall be individually responsible for all plumbing work performed by employees of the corporation. Acceptable documentation to prove compliance with this requirement includes the following: ~~a)--At least one member of every firm,--association--or--partnership engaged--in--plumbing--work,--and--at--least--one--corporate--officer--of every corporation engaged in plumbing work,-shall be a licensed plumber.~~

~~b)~~ ~~For all persons--sponsoring--an--apprentice,--documentation--shall--be submitted--showing--the--current--status--and position of the licensed plumber,--and--shall--be--signed--by--the--president--of--a--firm---or association,--by--a--general--partner--of--a--partnership,--and by the secretary of the board of directors of a--corporation.---Documentation acceptable to the Department includes the following:~~

a~~1~~) For corporations ~~Corporations~~: Minutes of the meeting of the board of directors during which a licensed plumber was appointed to fill a corporate office provided for in the by-laws of the corporation. By-Laws of the corporation must be submitted in addition to minutes if the licensed plumber is appointed to any corporate office other than president, vice-president, secretary or treasurer.

b~~2~~) For partnerships ~~Partnerships~~: A copy of the written partnership agreement. If the written partnership agreement has been executed, a letter describing the partnership, business activities of the partnership, local business licenses, and the status of the licensed plumber within the partnership.

c~~3~~) For sole proprietorships, firms and associations ~~Firms---and Associations~~: A letter describing the form of business, general business activities, local business licenses, and the status of the

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licensed plumber within the firm or association. A firm or association which is doing business as a corporation or partnership shall comply with this Section ~~Subsections (a) and (b)~~.

(Source: Amended at 24 Ill. Reg. _____, effective _____)

SUBPART G: CERTIFICATION OF PLUMBING INSPECTORS

Section 750.700 Purpose and Authority for Certification of Plumbing Inspectors

a) Applicability. The purpose of this Subpart is to promote effective and uniform enforcement of the Illinois Plumbing Code through State certification of plumbing inspectors. This Subpart establishes the standards and procedures for certification, and suspension and revocation of certification for plumbing inspectors. This Subpart applies to all persons and governmental units engaged in the administration and enforcement of the Plumbing Code or engaged in the education, training and testing of any person who applies to the Department for certification as a plumbing inspector.

b) Authority.

1) Departmental Authority. The Department of Public Health has been granted authority over certification of plumbing inspectors, and suspension and revocation of certification.

2) Governmental Unit Authority. All governmental units exercising jurisdiction over the construction and inspection of dwellings, pursuant to the Illinois Plumbing Code, may provide for inspection performed by plumbing inspectors certified under this Section.

(Source: Added at 24 Ill. Reg. _____, effective _____)

Section 750.710 Certification of Plumbing Inspectors

Any licensed plumber who meets the qualifications for a plumbing inspector specified in this Section and who pays to the Department the required fees specified in Section 750.1100 shall be issued a plumbing inspector's certification by the Department. The application form may be obtained by writing to the Illinois Department of Public Health, 828 S. Second Street, Springfield, Illinois 62704. Nothing in this Section shall prohibit a licensed plumber who does not apply for Department certification from working as a plumbing inspector. To qualify for certification as a plumbing inspector an applicant shall:

a) Be currently licensed by the Department as a plumber. An apprentice plumber's license or retired plumber's license cannot be used to fulfill this requirement.

b) Have held an Illinois plumbing license for at least 7 years. An apprentice plumber's license or retired plumber's license cannot be used to fulfill this requirement.

c) Have passed the examination administered by the Department for certification of plumbing inspectors.

1) Applications for the examination will be accepted if postmarked at least 30 days before the examination date.

2) Examinations shall be scheduled for May and November of each year. Examination dates and locations shall be established by the Department and the Board and shall be included with the examination application form.

(Source: Added at 24 Ill. Reg. _____, effective _____)

Section 750.720 Renewal of Plumbing Inspector Certification and Continuing Education Requirements for Certified Plumbing Inspectors

a) All plumbing inspector certificates shall expire on April 30 of each year, except initial certifications issued after February 15 shall expire one year after the next April 30. Any certified plumbing inspector who desires to continue his or her certification shall apply for renewal each year. The Department shall mail each certified plumbing inspector an application for renewal.

b) Each certified plumbing inspector shall as a condition of each annual certification renewal after the first renewal provide to the Department proof of completion of continuing education courses. Continuing education is not required for the year in which the plumbing inspector's certification was initially issued.

c) Continuing education sponsors and courses shall be approved by the Department pursuant to Section 750.510 and 750.520 of this Part. Continuing education credit may be earned by certified plumbing inspectors only by attending Department-approved courses. Continuing education courses shall consist of 14 classroom hours of at least 50 minutes each as follows:

1) at least 6 classroom hours of courses conducted by the Department; and

2) at least 8 classroom hours of courses conducted by continuing education sponsors approved by the Department.

d) The certified plumbing inspector shall complete, sign, and forward the renewal application and proof of continuing education, as required, to the Department, together with the appropriate fee. Upon receipt of a complete application and fee, the Department shall renew the certification.

(Source: Added at 24 Ill. Reg. _____, effective _____)

Section 750.730 Responsibilities of Certified Plumbing Inspectors

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Type of Inspections Required and Permitted. Any plumbing inspector certified pursuant to this Part may inspect any private or public property for the purpose of investigating conditions relating to the enforcement of the Illinois Plumbing Code and the Illinois Plumbing License Law.

(Source: Added at 24 Ill. Reg. _____, effective _____)

SUBPART H: APPROVAL OF PLUMBING PROGRAMS ESTABLISHED BY GOVERNMENTAL UNITS

Section 750.800 Governmental Units Establishing Plumbing Programs

a) This Part does not prohibit governmental units from enacting a minimum code of standards for the design of plumbing materials and the operation and maintenance of plumbing systems, and ordinances or rules for the inspection of plumbing systems. Any ordinances or rules adopted by governmental units shall be at least as stringent as the Illinois Plumbing Code.

b) If a governmental unit adopts ordinances that are more stringent than the Illinois Plumbing Code, a copy of such ordinance or rule, including all amendments, shall be submitted to the Department for review. If such plan is approved by the Department, the ordinance shall prevail in lieu of the State Plumbing Code. The Department shall issue written approval.

c) Review of Plumbing Programs of Governmental Units. The Department shall conduct inquiries, make inspections and review the plumbing programs operated by governmental units. This shall be done by an Illinois licensed plumber who is employed by the Department.

d) Governmental Units Establishing Plumbing Programs. Not less than once every three years, the Department shall evaluate each plumbing program operated by a governmental unit to determine whether that program is being operated under a rule or ordinance adopted in compliance with this Section. If the Department finds after investigation that a plumbing program is not being operated or enforced as required, the Director shall give written notice of the findings to the chief administrative officer of the governmental unit. If the Department finds, not less than 30 days after the notice, that the program is not being conducted as required by existing ordinances or rules, the Director shall give written notice of its findings to the chief administrative officer of the governmental unit, and after administrative hearing as provided in the Act, the governmental unit shall cease performing plumbing inspections and administering a plumbing program until approval is granted by the Department.

(Source: Added at 24 Ill. Reg. _____, effective _____)

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SUBPART I: VIOLATIONS OF PLUMBER'S LICENSE AND PLUMBING INSPECTOR'S CERTIFICATION

Section 750.900 Plumber's and Apprentice Plumber's License Violations ~~Plumbing License Revocation~~

a) The Department may take disciplinary action against a licensed plumber, licensed apprentice plumber, or plumbing inspector who is not certified by the Department for violations of the Act, this Part or the Illinois Plumbing Code. Pursuant to Section 20 of the Act, such action may include the revocation, suspension, or denial of a license issued by the Department.

b) A violation, for the purposes of this Section, shall be considered to mean a finding of violation of a Section of the Act, this Part, or the Illinois Plumbing Code by the Director in a final order issued pursuant to the Act, and may include any one of the following acts:

1a) Any licensed plumber who permits his name or plumbing license number to be used to indicate he is a member of a sole proprietorship, an association, partnership or corporation, and evidence indicates he is not participating in the plumbing activities of the sole proprietorship, association, partnership or corporation ~~shall be subject to license revocation~~. Evidence used by the Department in making such a determination may include ~~be:~~ payroll, records, time sheets, W-2 forms and documents on file with the Secretary of State;~~.~~

2b) Any licensed plumber who refuses to correct Illinois Plumbing Code ~~plumbing code~~ violations as requested by the Department, ~~or~~ continues to install plumbing in violation of Plumbing Code requirements, or is found guilty of negligence or incompetence in the performance of plumbing ~~shall be subject to license revocation.~~;

3c) Any licensed plumber who employs individuals to install plumbing and fails or refuses to license them as an Illinois apprentice plumbers; ~~Apprentice Plumber, shall be subject to license revocation.~~

4d) Any licensed plumber who fails to adequately train apprentices under his employment or supervision in a manner qualifying them to pass the plumbing license ~~Plumbing License~~ examination ~~shall be subject to license revocation. See Section 750.3020(f).~~ In reaching a finding of adequacy, the Department shall look at such factors as number ~~:~~ ~~Number~~ of hours worked by the apprentice, types and varieties of plumbing work performed and inspections of finished work;~~.~~

5e) Any licensed plumber or approved apprenticeship program that ~~who~~ sponsors an apprentice and does not directly supervise or employ the apprentice in the plumbing trade a minimum of 1400 hours a year; ~~the apprentice plumber is not under the direct supervision or employment of that plumber, shall be subject to license~~

~~revocation.~~

6) Any licensed plumber who does not complete continuing education as required by Section 750.500 for license renewal;

7) Any licensed plumber or approved apprenticeship program that fails to submit to the Department, within 15 days after an apprentice is no longer employed and supervised by that plumber or program, a letter stating that sponsorship of the apprentice has been canceled;

8) Any licensed plumber or licensed apprentice plumber who advertises his or her services as a certified plumbing inspector without obtaining certification from the Department or who uses or attempts to use the certificate of a certified plumbing inspector;

9) Any licensed apprentice plumber who performs plumbing work without the supervision of the sponsor/agent or approved apprenticeship program sponsoring the apprentice; or

10) Any licensed apprentice plumber who does not work in the plumbing trade for a minimum of 1400 hours a year or who does not fulfill all requirements of an approved apprenticeship program.

(Source: Amended at 24 Ill. Reg. _____, effective _____)

Section 750.910 Certified Plumbing Inspector Violations

The Department may take disciplinary action against a certified plumbing inspector for violations of the Act, this Part or the Illinois Plumbing Code. Pursuant to Section 20 of the Act, such action may include revocation, suspension, or denial of a plumbing license or plumbing inspector's certificate issued by the Department. A violation, for the purposes of this Section, shall be considered to mean a finding of violation of a Section of the Act, or this Part, or the Illinois Plumbing Code by the Director in a final order issued pursuant to the Act and shall include the following acts:

a) a certified plumbing inspector presenting, as his or her own, the certificate of another person;

b) submitting false information or misrepresenting facts to the Department for the purpose of obtaining certification or renewal of certification as a plumbing inspector;

c) using or attempting to use a certificate that has been suspended or revoked;

d) operating a business organization advertising itself as a certified plumbing inspection business after the termination of its only certified plumbing inspector without another member of the business organization obtaining certification from the Department;

e) commencing or performing certified plumbing inspections for which a permit is required pursuant to the Illinois Plumbing Code without such permit being in effect;

f) willfully violating any State law or rule, or any municipal or county ordinance or regulation, relating to uncertified or certified plumbing inspections;

g) being convicted or found guilty of, or entering a plea of nolo contendere to, regardless of adjudication, a crime in any jurisdiction that directly relates to the practice of plumbing;

h) violating any provision of the Illinois Plumbing License Law, this Part, the Illinois Plumbing Code, or any county or municipal plumbing laws or ordinances;

i) performing any act that assists a person or entity in engaging in the prohibited uncertified practice of inspecting plumbing, if the certified plumbing inspector knows or has reasonable grounds to know that the person or entity is uncertified; or

j) knowingly assisting or conspiring with an uncertified person by allowing one's plumbing inspector's certificate to be used by the uncertified person with intent to violate the requirements of Section 750.710. When a certified plumbing inspector allows his or her certificate to be used by one or more business organizations without participating in the operations, management, or control of such business organizations, such act constitutes prima facie evidence of an intent to evade the requirements of this Section.

(Source: Added at 24 Ill. Reg. _____, effective _____)

SUBPART J: CIVIL PENALTIES FOR UNLICENSED PLUMBERS

Section 750.1000 Civil Penalties for Unlicensed Plumbers

a) A person who practices, offers to practice, or holds himself or herself out to practice as a plumber without being licensed under the provisions of the Act shall be issued a civil penalty under the following criteria:

1) First Offense

A) Where no violations of the Illinois Plumbing Code (77 Ill. Adm. Code 890) are found, the person:

i) Shall pay a civil penalty of $1000;

ii) May be referred to the State's Attorney of the county or Attorney General for prosecution under Section 29 of the Act.

B) Where violations of the Illinois Plumbing Code are found, the person:

i) Shall pay a civil penalty of $3000;

ii) May have the penalty reduced to $1,000 upon the condition that the unlicensed person pays for a licensed plumber to correct the violations of the Illinois Plumbing Code. The licensed plumber correcting the violations must be acceptable to the other party to the original contract or agreement;

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iii) May be referred to the State's Attorney of the county or Attorney General for prosecution under Section 29 of the Act.

2) Second Offense

A) Where no violations of the Illinois Plumbing Code are found, the person:

i) Shall pay a civil penalty of $3000;

ii) May be referred to the State's Attorney of the county or Attorney General for prosecution under Section 29 of the Act.

B) Where provisions of the Illinois Plumbing Code are found, the person:

i) Shall pay a civil penalty of $5,000;

ii) May have the penalty reduced to $3000 upon the condition that the unlicensed person pays for a licensed plumber to correct the violations of the Illinois Plumbing Code. The licensed plumber correcting the violations must be acceptable to the other party to the original contract or agreement;

iii) May be referred to the State's Attorney of the county or Attorney General for prosecution under Section 29 of this Act.

3) Third and Subsequent Offenses

A) The person shall pay a civil penalty of $5000;

B) The person shall be referred to the State's Attorney of the county or Attorney General for prosecution under Section 29 of the Act.

b) A licensed plumber, firm, corporation, partnership, or association, who directs, authorizes or allows a person to practice, offer to practice, attempt to practice, or hold himself or herself out to practice as a plumber without being licensed under the provisions of the Act:

1) First Offense

A) Shall pay a civil penalty of $5000;

B) Shall be required to pay for a licensed plumber to correct any violations of the Illinois Plumbing Code. The licensed plumber correcting the violations must be acceptable to the other party to the original contract or agreement;

C) Shall have his or her plumbing license suspended;

D) May be referred to the State's Attorney of the county or Attorney General for prosecution under Section 29 of the Act.

2) Second Offense

A) Shall pay a civil penalty of $5000;

B) Shall be required to pay for a licensed plumber to correct any violations of the Illinois Plumbing Code. The licensed plumber correcting the violations must be acceptable to the other party to the original contract or agreement;

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C) Shall have his or her plumbing license revoked;

D) Shall be referred to the State's Attorney of the county or Attorney General for prosecution under Section 29 of the Act.

(Source: Added at 24 Ill. Reg. _____, effective _____)

SUBPART K: ADMINISTRATIVE FEES

Section 750.1100 Plumbers' and Apprentice Plumbers' Examination and Licensure Fees

The applicable fee shall be submitted to the Department with each application for examination, ~~or~~ licensure or certification as follows:

a) Plumber's Examination Fees

1)	Plumber's License Examination Fee when applicant is licensed as Man Apprentice Plumber in Illinois	$100~~.00~~
2)	Plumber's License Examination Fee when applicant is registered or licensed in a state other than Illinois	$125~~.00~~
3)	Plumber's License Re-Examination Fee	$100
4)	Plumber's License Re-Examination Fee when applicant is registered or licensed in a state other than Illinois	$100

b) Plumber's License Fees

1)	Plumber's License Fee (Initial or Renewal)	$100~~.00~~
2)	Apprentice Plumber's License Fee (Initial or Renewal)	$50~~.00~~
3)	Late Fee or Reinstatement Fee for any License Renewal (in addition to all lapsed renewal fees)	$25~~.00~~
4)	Restoration of a Plumber's Expired License Fee (includes the fee for the first examination only)	$100 ~~500.00~~
5)	Duplicate License Fee	$25~~.00~~

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	~~Fee--for--a--dishonored,--negotiable-instrument including, but--not--limited--to,---returned---checks---or insufficient payment~~	~~10.00~~
6)	Retired Plumber's Annual License	$25
7)	Restoration of a Retired Plumber's License with five or fewer years	$100
8)	Restoration of a Retired Plumber's License of more than five years (includes fee for first examination)	$100
9)	Retired Plumber's License Fee after Passing Examination	$100

c) Certified Plumbing Inspector's Examination and Certification Fees

1)	Plumbing Inspector's Examination	$100
2)	Plumbing Inspector's Certification	$100
3)	Plumbing Inspector's Certification Late Fee	$25

(Source: Amended at 24 Ill. Reg. _____, effective _____)

Section 750.1110 Other Fees

a) Copies of the Illinois Plumbing Code may be obtained from the Department. The applicable fee shall be submitted with requests for copies as follows:

1a) One ~~free~~ copy of the current Illinois Plumbing Code ~~and--any subsequent--amendments~~ will be provided free of charge to each newly ~~licensed-plumber-and~~ licensed apprentice plumber. The fee for additional ~~subsequent-or-multiple~~ copies shall be $40 ~~$20.00~~ per copy.

2) One copy of amendments to the Illinois Plumbing Code (not including binder) will be provided free of charge to each Illinois licensed plumber and licensed apprentice plumber. The fee for additional copies shall be $20.

3) The fee for copies of the current Illinois Plumbing Code provided to persons other than licensed apprentice plumbers shall be $40.

4) The fee for copies of amendments to the Illinois Plumbing Code (not including binder) provided to persons other than Illinois licensed plumbers and licensed apprentice plumbers shall be $20.

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5) The fee for the current Illinois Plumbing Code on CD Rom shall be $100.

~~b) The--fee--for--copies-provided-to-persons-other-than-licensed-plumbers and-licensed-apprentice-plumbers-shall-be-$20.00.~~

be) The fee for a dishonored, negotiable instrument including, but not limited to, returned checks or insufficient payment shall be $20 ~~$10.00~~.

(Source: Amended at 24 Ill. Reg. _____, effective _____)

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1) Heading of the Part: Auction License Act

2) Code Citation: 68 Ill. Adm. Code 1440

3)

Section Numbers:	Proposed Action:
1440.10	New Section
1440.100	New Section
1440.110	New Section
1440.120	New Section
1440.130	New Section
1440.140	New Section
1440.150	New Section
1440.160	New Section
1440.170	New Section
1440.180	New Section
1440.190	New Section
1440.200	New Section
1440.210	New Section
1440.220	New Section
1440.230	New Section
1440.240	New Section
1440.250	New Section
1440.260	New Section
1440.270	New Section
1440.280	New Section

4) Statutory Authority: Implementing and Authorized by The Auction License Act (PA 91-603).

5) Effective Date of Rule: February 22, 2000

6) Does this rulemaking contain an automatic repeal date? No

7) Does this rule contain incorporations by reference? No

8) A copy of the adopted rules, including any material incorporated by reference, is on file in the Office of Banks & Real Estate's principal office and is available for public inspection.

9) Notice of Rule Published in Illinois Register: 23 Ill. Reg. 13349, November 5, 1999

10) Has JCAR issued a Statement of Objection to this rule? No

11) Difference between proposal and final version: Minor changes in Section 1440.100, which clarifies the exemption for licensed vehicle dealers and their employees.

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Minor changes in Section 1440.140, which more clearly defines the 45-day temporary permit authority.

Other minor technical and typographical corrections were made throughout this rule.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes

13) Will this rule replace an emergency rule currently in effect? Yes

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Rule: This rule sets forth definitions, license requirements, and other administrative rules needed to implement the Auction License Act (PA 91-603).

16) Information and questions regarding this adopted rule shall be directed to:

Norm Willoughby, Director/Auction Division
Office of Banks and Real Estate
500 E. Monroe, 5th Floor
217/782-2798

The full text of the rule begins on the next page:

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TITLE 68: PROFESSIONS AND OCCUPATIONS
CHAPTER VIII: OFFICE OF BANKS AND REAL ESTATE

PART 1440
AUCTION LICENSE ACT

SUBPART A: DEFINITIONS

Section
1440.10 Definitions

SUBPART B: AUCTION LICENSE

Section
1440.100 Necessity of License; Exemptions
1440.110 Examination
1440.120 Application for Auctioneer, Associate Auctioneer License and Auction Firm
1440.130 Application for Licensure, Practice Prior to the Act
1440.140 45 Day Permit Sponsor Card
1440.150 Restoration of Lapsed or Expired License
1440.160 Nonresident Auctioneer, Associate Auctioneer Reciprocity
1440.170 Fees
1440.180 Earnings from the Investment of Moneys in the Auction Recovery Fund
1440.190 Address Change, Notification
1440.200 Pocket Card
1440.210 Assumed Name
1440.220 Supervisory Duties
1440.230 Advertising; Buyer Premium; Disclosure
1440.240 Unlicensed Assistants
1440.250 Felony convictions; Discipline of Other Professional License; Notification
1440.260 Advertising; Auction without Reserve; Absolute Auction
1440.270 Escrow or Trust Accounts
1440.280 Termination for Failure to Pay Taxes, Child Support or Student Loan

AUTHORITY: Implementing and authorized by the Auction License Act [225 ILCS 407].

SOURCE: Adopted by emergency rulemaking at 23 Ill. Reg. 13414, effective October 25, 1999, for a maximum of 150 days; adopted at 24 Ill. Reg. 3518, effective FEB 22 2000.

SUBPART A: DEFINITIONS

Section 1440.10 Definitions

"Act" means the Auction License Act [225 ILCS 407].

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"Advertisement" means any written, oral, or electronic communication that contains a promotion, inducement, or offer to conduct an auction or offer to provide an auction service, including but not limited to brochures, pamphlets, radio and television scripts, telephone and direct mail solicitation, electronic media, and other means of promotion.

"Advisory Board" shall mean the Auctioneer Advisory Board.

"Associate Auctioneer" means a person who conducts an auction, but who is under the direct supervision of, and is sponsored by, a licensed auctioneer or auction firm.

"Auction" means the sale or lease of property, real or personal, by means of exchanges between an auctioneer or associate auctioneer and prospective purchasers or lessees, which consists of a series of invitations for offers made by the auctioneer or associate auctioneer and offers by prospective purchasers or lessees for the purpose of obtaining an acceptable offer for the sale or lease of the property, including the sale or lease of property via mail, telecommunications, or the Internet.

"Auction Contract" means a written or oral agreement between an auctioneer, associate auctioneer, or an auction firm and a seller, sellers, lessor or lessors.

"Auction Firm" means any corporation, partnership, or limited liability company that acts as an auctioneer and provides an auction service.

"Auction School" means any educational institution, public or private, which offers a curriculum of auctioneer education and training approved by OBRE.

"Auction Service" means the service of arranging, managing, advertising or conducting auctions.

"Auctioneer" means a person or entity who, for another, for a fee, compensation, commission or any other valuable consideration at auction or with the intention or expectation of receiving valuable consideration by the means of or process of an auction or sale at auction or providing an auction service, offers, negotiates, or attempts to negotiate an auction contract, sale, purchase, or exchange of goods, chattels, merchandise, personal property, real property, or any commodity that may be lawfully kept or offered for sale by or at auction.

"Buyer Premium" means any fee or compensation paid by the successful

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purchaser of property sold or leased at or by auction, to the auctioneer, associate auctioneer, auction firm, seller, lessor or other party to the transaction, other than the purchase price.

"Cashier" means a person who accepts, records and documents payments and information from bidders or prospective bidders, and performs other clerical services for and under the direct supervision of a licensed auctioneer or auction firm, while conducting an auction or providing an auction service.

"Clerk" means a person who records and documents information and performs other clerical services for and under the direct supervision of an auctioneer or an auction firm, while conducting an auction or providing an auction service.

"Commissioner" means the Commissioner of the Office of Banks and Real Estate.

"Compensation" means the valuable consideration given by one person or entity to another person or entity in exchange for the performance of some activity or service. Compensation shall include the transfer of valuable consideration, including but not limited to:

commissions;

fees;

referral fees;

bonuses;

prizes;

merchandise;

finder fees;

performance of services;

coupons or gift certificates;

discounts;

rebates;

a chance to win a raffle, drawing, lottery, or similar game of chance not prohibited by any other law or statute;

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retainer fee; or

salary.

"Consignment Sale" means the sale or lease of property at an auction, whereby a person or entity takes temporary control, title or possession of the property to be sold or leased for the purpose of that person or entity to sell or lease the property, receive and distribute the proceeds of the sale or lease of the property. The person or entity who conducts a consignment sale auction shall not be exempt from licensure under this Act, except for those persons or entities who are other exempt from licensure, as provide by the Act and these Rules.

"Goods" means chattels, movable goods, merchandise, or personal property or commodities of any form or type that may be lawfully kept or offered for sale.

"Licensee" means any person licensed under the Act.

"Livestock Auctioneer" means an auctioneer or associate auctioneer, licensed under this Act, and employed by a business registered as a market agency under the federal Packers and Stockyards Act (7 USC 181 et seq.) or under the Livestock Auction Market Law [225 ILCS 640], who by public outcry sells livestock at the registered business.

"Managing Auctioneer" means any person licensed as an auctioneer who manages and supervises an auction firm and licensees sponsored by an auction firm or auctioneer.

"OBRE" means the Office of Banks and Real Estate.

"Person" shall mean an individual, association, partnership, corporation, limited liability company, or the officers, directors, or employees of the same.

"Pre-renewal Period" means the 24 months prior to the expiration date of a license issued under the Act.

"Ring Assistant" means a person who acknowledges a bid from a member of the audience during the sale or lease of property at an auction and conveys the bid to the auctioneer, but only the auctioneer may accept the bid for the sale or lease of property at auction.

"Rules" means this Part.

"Sponsor Card" shall mean the temporary permit issued by the sponsoring auctioneer certifying that the licensee named is employed

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by or associated with the sponsoring auctioneer and the sponsoring auctioneer shall be responsible for the actions of the sponsored licensee.

"Sponsoring Auctioneer" means the auctioneer or auction firm who has issued a sponsor card to a licensed associate auctioneer or auctioneer.

"Terms and Conditions" means an announcement made orally or in written form at an auction sale, including but not limited to the condition of the property being sold or leased, the type of payment expected from the purchaser, when payment is expected from the purchaser, when possession, control and ownership of the property being sold or leased passes to the purchaser, and any other information which is pertinent to the auction.

SUBPART B: AUCTION LICENSE

Section 1440.100 Necessity of License; Exemptions

Any person, corporation, limited liability company, partnership, or other entity shall not be required to be licensed under this Act under the following circumstances:

a) A not-for-profit organization conducting an auction solely for charitable purposes;
b) A person or other entity who is the rightful owner of property, real or personal, sold or leased at auction;
c) A person or entity, while conducting an auction for the sale or lease of real property, who holds a valid broker or salesperson license under the Real Estate License Act of 2000 [225 ILCS 454];
d) A business registered as a livestock market agency under the federal Packers and Stockyards Act (7 USC 181 et seq.) or under the Livestock Auction Market Law, and that registered business employs licensed livestock auctioneers;
e) A vehicle dealer licensed by the Secretary of State of Illinois, or to any employee of the licensee, who is a resident of the State of Illinois, while the employee is acting in the regular of his or her employment for the licensee, or to sales by or through the licensee.
f) A person under the age of 18 who, while under the direct supervision of a licensed auctioneer, sells items under $250 in value.

Section 1440.110 Examination

a) Every person who makes application for a license as an auctioneer or associate auctioneer shall take and pass a written examination authorized by OBRE, except those exempt from the examination requirement pursuant to Section 10-25 of this Act.
b) Each applicant for an auctioneer or associate auctioneer license shall

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file an application for examination with OBRE or its designated testing service. The application for examination shall include:
1) Certification that the applicant is 18 years of age; and
2) Certification of graduation from high school or equivalent (e.g., GED).

Section 1440.120 Application for Auctioneer, Associate Auctioneer License and Auction Firm

a) Each applicant for an auctioneer or associate auctioneer license shall submit on forms provided to OBRE:
1) The applicant's name, address and telephone number;
2) The applicant's Social Security Number and date of birth; OBRE shall make available the applicant's Social Security Number only to the Illinois Department of Revenue, to determine a tax delinquency, the Illinois Department of Public Aid, to determine a delinquency in court ordered child support payments, and the Illinois Student Assistance Commission (ISAC), to determine a delinquency for a student loan authorized by ISAC, or by subpoena;
3) Certification that the applicant is 18 years of age;
4) Certification of graduation from high school or equivalent (e.g., GED);
5) The fee as provided by Section 1440.170 of this Part;
6) A properly completed sponsor card issued in accordance with Section 10.35 of the Act and Section 1440.140 of this Part;
7) Proof of successful completion of the examination authorized by OBRE, unless otherwise exempt from examination as provided by Section 10-25 (Practice Prior to the Act) of the Act and Section 1440.130 of this Part or Section 10-45 (Nonresident Auctioneer Reciprocity) of the Act and Section 1440.160 of this Part; and
8) Any other information as required by OBRE, including but not limited to personal history, criminal record, Illinois tax delinquency, Illinois student loan delinquency, court ordered child support delinquency, or other information used by OBRE to determine an applicant's fitness for licensure.
b) A person who desires to conduct auctions, provide an auction service or practice auctioneering in the form of a partnership, corporation or limited liability company shall make application for an auction firm license on forms provided by OBRE to the Office of Banks and Real Estate and shall include the following:
1) The applicant's name, address and telephone number;
2) The applicant's Federal Employer Identification Number or tax identification number; OBRE shall make available an applicant's FEIN or tax identification number only to the Illinois Department of Revenue to determine a tax delinquency, or by subpoena;
3) A list of all officers, directors, and owners with percentage of ownership of the auction firm;

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purchaser of property sold or leased at or by auction, to the auctioneer, associate auctioneer, auction firm, seller, lessor or other party to the transaction, other than the purchase price.

"Cashier" means a person who accepts, records and documents payments and information from bidders or prospective bidders, and performs other clerical services for and under the direct supervision of a licensed auctioneer or auction firm, while conducting an auction or providing an auction service.

"Clerk" means a person who records and documents information and performs other clerical services for and under the direct supervision of an auctioneer or an auction firm, while conducting an auction or providing an auction service.

"Commissioner" means the Commissioner of the Office of Banks and Real Estate.

"Compensation" means the valuable consideration given by one person or entity to another person or entity in exchange for the performance of some activity or service. Compensation shall include the transfer of valuable consideration, including but not limited to:

commissions;

fees;

referral fees;

bonuses;

prizes;

merchandise;

finder fees;

performance of services;

coupons or gift certificates;

discounts;

rebates;

a chance to win a raffle, drawing, lottery, or similar game of chance not prohibited by any other law or statute;

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retainer fee; or

salary.

"Consignment Sale" means the sale or lease of property at an auction, whereby a person or entity takes temporary control, title or possession of the property to be sold or leased for the purpose of that person or entity to sell or lease the property, receive and distribute the proceeds of the sale or lease of the property. The person or entity who conducts a consignment sale auction shall not be exempt from licensure under this Act, except for those persons or entities who are other exempt from licensure, as provide by the Act and these Rules.

"Goods" means chattels, movable goods, merchandise, or personal property or commodities of any form or type that may be lawfully kept or offered for sale.

"Licensee" means any person licensed under the Act.

"Livestock Auctioneer" means an auctioneer or associate auctioneer, licensed under this Act, and employed by a business registered as a market agency under the federal Packers and Stockyards Act (7 USC 181 et seq.) or under the Livestock Auction Market Law [225 ILCS 640], who by public outcry sells livestock at the registered business.

"Managing Auctioneer" means any person licensed as an auctioneer who manages and supervises an auction firm and licensees sponsored by an auction firm or auctioneer.

"OBRE" means the Office of Banks and Real Estate.

"Person" shall mean an individual, association, partnership, corporation, limited liability company, or the officers, directors, or employees of the same.

"Pre-renewal Period" means the 24 months prior to the expiration date of a license issued under the Act.

"Ring Assistant" means a person who acknowledges a bid from a member of the audience during the sale or lease of property at an auction and conveys the bid to the auctioneer, but only the auctioneer may accept the bid for the sale or lease of property at auction.

"Rules" means this Part.

"Sponsor Card" shall mean the temporary permit issued by the sponsoring auctioneer certifying that the licensee named is employed

by or associated with the sponsoring auctioneer and the sponsoring auctioneer shall be responsible for the actions of the sponsored licensee.

"Sponsoring Auctioneer" means the auctioneer or auction firm who has issued a sponsor card to a licensed associate auctioneer or auctioneer.

"Terms and Conditions" means an announcement made orally or in written form at an auction sale, including but not limited to the condition of the property being sold or leased, the type of payment expected from the purchaser, when payment is expected from the purchaser, when possession, control and ownership of the property being sold or leased passes to the purchaser, and any other information which is pertinent to the auction.

SUBPART B: AUCTION LICENSE

Section 1440.100 Necessity of License; Exemptions

Any person, corporation, limited liability company, partnership, or other entity shall not be required to be licensed under this Act under the following circumstances:

a) A not-for-profit organization conducting an auction solely for charitable purposes;
b) A person or other entity who is the rightful owner of property, real or personal, sold or leased at auction;
c) A person or entity, while conducting an auction for the sale or lease of real property, who holds a valid broker or salesperson license under the Real Estate License Act of 2000 [225 ILCS 454];
d) A business registered as a livestock market agency under the federal Packers and Stockyards Act (7 USC 181 et seq.) or under the Livestock Auction Market Law, and that registered business employs licensed livestock auctioneers;
e) A vehicle dealer licensed by the Secretary of State of Illinois, or to any employee of the licensee, who is a resident of the State of Illinois, while the employee is acting in the regular of his or her employment for the licensee, or to sales by or through the licensee.
f) A person under the age of 18 who, while under the direct supervision of a licensed auctioneer, sells items under $250 in value.

Section 1440.110 Examination

a) Every person who makes application for a license as an auctioneer or associate auctioneer shall take and pass a written examination authorized by OBRE, except those exempt from the examination requirement pursuant to Section 10-25 of this Act.
b) Each applicant for an auctioneer or associate auctioneer license shall

file an application for examination with OBRE or its designated testing service. The application for examination shall include:
1) Certification that the applicant is 18 years of age; and
2) Certification of graduation from high school or equivalent (e.g., GED).

Section 1440.120 Application for Auctioneer, Associate Auctioneer License and Auction Firm

a) Each applicant for an auctioneer or associate auctioneer license shall submit on forms provided to OBRE:
1) The applicant's name, address and telephone number;
2) The applicant's Social Security Number and date of birth; OBRE shall make available the applicant's Social Security Number only to the Illinois Department of Revenue, to determine a tax delinquency, the Illinois Department of Public Aid, to determine a delinquency in court ordered child support payments, and the Illinois Student Assistance Commission (ISAC), to determine a delinquency for a student loan authorized by ISAC, or by subpoena;
3) Certification that the applicant is 18 years of age;
4) Certification of graduation from high school or equivalent (e.g., GED);
5) The fee as provided by Section 1440.170 of this Part;
6) A properly completed sponsor card issued in accordance with Section 10.35 of the Act and Section 1440.140 of this Part;
7) Proof of successful completion of the examination authorized by OBRE, unless otherwise exempt from examination as provided by Section 10-25 (Practice Prior to the Act) of the Act and Section 1440.130 of this Part or Section 10-45 (Nonresident Auctioneer Reciprocity) of the Act and Section 1440.160 of this Part; and
8) Any other information as required by OBRE, including but not limited to personal history, criminal record, Illinois tax delinquency, Illinois student loan delinquency, court ordered child support delinquency, or other information used by OBRE to determine an applicant's fitness for licensure.
b) A person who desires to conduct auctions, provide an auction service or practice auctioneering in the form of a partnership, corporation or limited liability company shall make application for an auction firm license on forms provided by OBRE to the Office of Banks and Real Estate and shall include the following:
1) The applicant's name, address and telephone number;
2) The applicant's Federal Employer Identification Number or tax identification number; OBRE shall make available an applicant's FEIN or tax identification number only to the Illinois Department of Revenue to determine a tax delinquency, or by subpoena;
3) A list of all officers, directors, and owners with percentage of ownership of the auction firm;

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NOTICE OF ADOPTED RULE

4) Articles of Incorporation or Organization, or other evidence of legal formation or authority to conduct business as approved by OBRE;
5) Proof of a properly licensed managing auctioneer;
6) The fee as provided by Section 1440.170 of this Part; and
7) Any other information as required by OBRE, including but not limited to personal history, criminal record, Illinois tax delinquency, Illinois student loan delinquency, court ordered child support delinquency, or other information used by OBRE to determine an applicant's fitness for licensure.

c) All information provided by an applicant to OBRE is subject to audit by OBRE within 5 years from the date in which the application was received by OBRE.

Section 1440.130 Application for Licensure, Practice Prior to the Act

a) An applicant who desires to apply for an auctioneer or associate auctioneer license under the Act without examination shall submit an application on forms provided by OBRE to the Office of Banks and Real Estate providing the information as required by Sections 10-5 and 10-15 of the Act and Section 1440.110 of this Part, except the requirement for proof of successful completion of the examination authorized by OBRE. In addition, an applicant who makes application for licensure under Section 10-25 of the Act and this Section shall verify that he or she:
   1) Is a resident of the State of Illinois;
   2) Has practiced as an auctioneer for a period of at least 2 years prior to January 1, 2000; and
   3) Has conducted a minimum of 5 auctions of real or personal property within the 2 years prior to January 1, 2000.

b) All information on an application for licensure provided by an applicant to OBRE is subject to audit by OBRE within 5 years after the date in which the application was received by OBRE.

Section 1440.140 45 Day Permit Sponsor Card

a) A properly issued 45 Day Permit Sponsor Card shall serve as a temporary permit allowing the sponsored individual to engage in the practice of auctioneering for a period of 45 days after its issuance date only under the direct supervision of the sponsoring auctioneer or auction firm.

b) A sponsoring auctioneer or auction firm shall only execute a 45 Day Permit Sponsor Card to a sponsored individual upon presentation of:
   1) A valid auctioneer or associate auctioneer examination passing score report from OBRE or its designated testing vendor which states that the sponsoring auctioneer or auction firm may issue a 45 Day Permit Sponsor Card; or
   2) An original terminated license, pursuant to Section 10-35 of the Act, endorsed by the sponsoring auctioneer or auction firm by whom the sponsored individual was previously sponsored or associated.

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c) Upon issuance of a properly completed 45 Day Permit Sponsor Card:
   1) The sponsoring auctioneer or auction firm shall send to OBRE within 24 hours the original 45 Day Permit Sponsor Card, the original terminated license (if applicable), the original examination score report and initial application (if applicable), and the proper fee.
      A) If the sponsored individual is unable to obtain an original terminated license from his or her previous sponsoring auctioneer or auction firm, the sponsored individual shall prepare a sworn written statement as to why the terminated license is not submitted. The sponsoring auctioneer or auction firm shall submit the written statement in lieu of an original terminated license to OBRE;
   2) The sponsoring auctioneer or auction firm shall retain a copy of the 45 Day Permit Sponsor Card for its records; and
   3) The sponsored individual shall retain a copy of the 45 Day Permit Sponsor Card, and shall use it in lieu of a license until a license is issued by OBRE, but not for a period in excess of 45 days after its issuance.

d) If a new license has not been issued by OBRE within 45 days after the issuance of a 45 Day Permit Sponsor Card, the sponsored individual shall not practice auctioneering.

e) OBRE may grant an extension of a 45 Day Permit Sponsor Card, but the extension must be requested in writing by the sponsoring auctioneer or auction firm.

f) If OBRE denies any application in which a 45 Day Permit Sponsor Card was issued, the 45 Day Permit Sponsor Card shall be null and void upon written notice from OBRE.

g) An applicant for an auctioneer or associate auctioneer license, who is required to pass the examination for licensure, may conduct an auction on a 45 Day Permit Sponsor Card without having first passed the examination under the following conditions:
   1) The applicant has made application on forms provided by OBRE and paid all applicable fees as if the applicant were making application for an initial license;
   2) The applicant provides evidence to OBRE that he or she was unable to schedule such examination with OBRE or the approved testing vendor prior to submitting the application as provided in this Section;
   3) The applicant certifies that he or she shall abide by the be subject to all the provisions of the Act and these Rules; and
   4) The applicant certifies that he or she shall schedule the examination, pass and provide documentation of same to OBRE within 45 days of the issuance of the 45 Day Permit Sponsor Card.

A person shall only make application under this paragraph, one time in

any 5 year period.

Section 1440.150 Restoration of Lapsed or Expired License

a) A licensee whose license has lapsed or expired shall have 2 years from the date the license expired to restore his or her license without examination. The licensee whose license has expired shall make application on forms provided by OBRE to the Office of Banks and Real Estate which shall include the following:
   1) The applicant's name, address and telephone number;
   2) The applicant's Social Security Number and date of birth;
   3) The applicant's license number;
   4) A statement from the applicant containing an employment history since the expiration of the applicant's license;
   5) The fees as provided by Section 1440.170 of this Part;
   6) A properly completed 45 day permit sponsor card issued in accordance with Section 10-35 of the Act and Section 1440.140 of this Part;
   7) Proof of successful completion of 12 hours of approved continuing education; and
   8) Any other information as required by OBRE, including but not limited to personal history, criminal record, Illinois tax delinquency, Illinois student loan delinquency, court ordered child support delinquency, or other information used by OBRE to determine an applicant's fitness for licensure.

b) A licensee whose license has lapsed or expired for a period in excess of 2 years shall be required to provide proof of successful completion of 12 hours of approved education within 6 months prior to making application, meet the requirements and make application the same as an initial applicant pursuant to Article 10 of the Act and this Part promulgated for the administration of the Act.

Section 1440.160 Nonresident Auctioneer, Associate Auctioneer Reciprocity

a) A person holding a current license in good standing to conduct auctions, provide an auction service or engage in auctioneering in a jurisdiction in which OBRE has a reciprocal agreement shall make application to OBRE on forms provided by OBRE that shall include the following:
   1) The applicant's name, address and telephone number;
   2) The applicant's Social Security Number and date of birth;
   3) Certification that the applicant is 18 years of age;
   4) Certification of graduation from high school or equivalent (e.g., GED);
   5) The fee as provided by Section 10-50 of the Act;
   6) A properly completed sponsor card issued in accordance with Section 10-35 of the Act and Section 1440.140 of this Part;
   7) A certification in writing that the nonresident applicant shall abide by all the provisions of the Act and this Part with respect to his or her auction activities within the State of Illinois and submit to the jurisdiction of OBRE as provided in the Act and this Part; and
   8) Any other information as required by OBRE, including but not limited to personal history, criminal record, Illinois tax delinquency, Illinois student loan delinquency, court ordered child support delinquency, or other information used by OBRE to determine an applicant's fitness for licensure.

b) A person holding a current nonresident license may become a resident licensee without examination should he or she become domiciled in the State of Illinois by making application to OBRE on forms provided by OBRE.

Section 1440.170 Fees

a) The license application fee for an auctioneer for:
   1) an initial license application shall be $200;
      A) in addition to the initial license application fee, each initial applicant shall pay an additional $100 until January 1, 2002 for deposit into the Auction Administration Fund; and
      B) in addition to the initial license application fee, each initial applicant shall pay an additional $25 until January 1, 2002 for deposit into the Auction Recovery Fund;
   2) a renewal application shall be calculated at the rate of $225 per year; in addition to the renewal application fee, each renewal applicant shall pay an additional $25 until January 1, 2002 for deposit into the Auction Recovery Fund;
   3) a renewal application, in which the application with fee was postmarked after the expiration date of the license and is received by OBRE within 45 days after the expiration date, shall be the renewal fee plus a $50 penalty;
   4) a restoration application shall be all lapsed renewal application fees, a $50 penalty and $25 for a 45 Day Permit Sponsor Card;
   5) a 45 Day Permit Sponsor Card application shall be $25; and
   6) a duplicate license shall be $25.

b) The license application fee for an associate auctioneer for:
   1) an initial license application shall be $100;
      A) in addition to the initial license application fee, each initial applicant shall pay an additional $100 until January 1, 2002 for deposit into the Auction Administration Fund; and
      B) in addition to the initial license application fee, each initial applicant shall pay an additional $25 until January 1, 2002 for deposit into the Auction Administration Fund;
   2) a renewal application shall be calculated at the rate of $125 per year; in addition to the renewal application fee, each renewal

applicant shall pay an additional $25 until January 1, 2002 for deposit into the Auction Recovery Fund;

3) a renewal application, in which the application with fee was postmarked after the expiration date of the license and is received by OBRE within 45 days after the expiration date, shall be the renewal fee plus a $50 penalty;

4) a restoration application shall be all lapsed renewal application fees, a $50 penalty and $25 for a 45 Day Permit Sponsor Card;

5) a 45 Day Permit Sponsor Card application shall be $25; and

6) a duplicate license shall be $25.

c) The license application fee for an auction firm for:

1) an initial license application shall be $100;

A) in addition to the initial license application fee, each initial applicant shall pay an additional $100 until January 1, 2002 for deposit into the Auction Recovery Fund; and

B) in addition to the initial license application fee, each initial applicant shall pay an additional $25 until January 1, 2002 for deposit into the Auction Recovery Fund;

2) a renewal application shall be calculated at the rate of $125 per year; in addition to the renewal application fee, each renewal applicant shall pay an additional $25 until January 1, 2002 for deposit into the Auction Recovery Fund;

3) a renewal application, in which the application with fee was postmarked after the expiration date of the license and is received by OBRE within 45 days after the expiration date, shall be the renewal fee plus a $50 penalty;

4) a managing auctioneer change application shall be $25; and

5) a duplicate license shall be $25.

d) The license application fee for an auction school for:

1) an initial license application shall be $2,000;

A) in addition to the initial license application fee, each initial applicant shall pay an additional $100 until January 1, 2002 for deposit into the Auction Administration Fund; and

B) in addition to the initial license application fee, each initial applicant shall pay an additional $25 until January 1, 2002 for deposit into the Auction Recovery Fund;

2) a renewal application shall be calculated at the rate of $1,000 per year; in addition to the renewal application fee, each renewal applicant shall pay an additional $25 until January 1, 2002 for deposit into the Auction Administration Fund;

3) a renewal application, in which the application with fee was postmarked after the expiration date of the license and is received by OBRE within 45 days after the expiration date, shall be the renewal fee plus a $250 penalty; and

4) a duplicate license shall be $25.

e) The license application fee for an auction continuing education course, in which application for approval was not made with the

initial application or the renewal application of the auction school, shall be $50 per course. A duplicate course license shall be $25.

f) The fee for copies, license certification and other services shall be the cost of preparing and providing the same, as established by policy of OBRE.

Section 1440.180 Earnings from the Investment of Moneys in the Auction Recovery Fund

Pursuant to Sections 30-20 and 30-25 of the Act, all earnings received from the investment of moneys deposited into the Auction Recovery Fund shall be deposited into the Auction Recovery Fund and shall be used for the same purposes as other moneys deposited into the Auction Recovery Fund.

Section 1440.190 Address Change, Notification

Any licensee granted a license under the Act shall notify OBRE in writing of any change of business or mailing address within 24 hours after the change. A licensee who fails to notify OBRE in writing of any address change shall be responsible for any failure to comply with any notice sent to the licensee by OBRE to the extent it may affect his or her license status or penalties assessed by OBRE.

Section 1440.200 Pocket Card

OBRE shall issue, along with each license issued under the Act, a pocket card. All licensees shall carry the pocket card at all times and shall display it upon demand. If the licensee is operating on a properly issued 45 Day Permit Sponsor Card, the licensee shall carry a copy of the 45 Day Permit Sponsor Card in lieu of and until a pocket card is issued by OBRE.

Section 1440.210 Assumed Name

If a licensee operates under any name other than that appearing on his or her license, he or she shall submit to OBRE a certified copy of his or her registration under the Assumed Business Name Act [805 ILCS 405] at the time of application or within 30 days after registration.

Section 1440.220 Supervisory Duties

a) A sponsoring auctioneer, auction firm and managing auctioneer shall have the duty and be responsible to supervise, manage, and control any licensed auctioneer or associate auctioneer sponsored or managed by the sponsoring auctioneer, auction firm or managing auctioneer while conducting an auction, acting as an auctioneer or providing an auction service. In addition, a sponsoring auctioneer, auction firm and managing auctioneer shall have the duty and be responsible to supervise, manage, and control any unlicensed agent or employee while

conducting an auction, acting as an auctioneer or providing an auction service. Any violation of the Act by a licensed or unlicensed employee or agent of a sponsoring auctioneer, auction firm or managing auctioneer shall be deemed to be a violation by the sponsoring auctioneer, auction firm or managing auctioneer.

b) Only the managing and/or sponsoring auctioneer shall execute and issue a 45 Day Permit Sponsor Card and terminate a sponsored licensee's license.

Section 1440.230 Advertising; Buyer Premium; Disclosure

a) A licensee under the Act shall clearly disclose on any advertisement:
   1) the licensee's name; if a licensee uses an assumed name or d/b/a, the licensee shall register that name with OBRE, pursuant to Section 1440.200 of this Part;
   2) the licensee's license number, as assigned by OBRE;
   3) the name of the city, village or town, and state, in which the licensee or the licensee's business is located;
   4) the licensee's telephone number; and
   5) the terms and conditions of the auction, to the best knowledge of the licensee at the time of printing, taping or production of the advertisement.

b) A licensee under this Act shall clearly announce before the auction the terms and conditions of the auction, and shall disclose any differences in the terms and conditions of the auction from any previous advertisement for the auction.

c) If a licensee under the Act conducts an auction or provides an auction service in which a buyer premium is charged or collected, the licensee shall:
   1) clearly disclose on any advertisement that there is a buyer premium charged and the terms of the buyer premium;
   2) clearly post at the auction site that there is a buyer premium charged and the terms of the buyer premium; and
   3) clearly announce during the terms and conditions of the auction that there is a buyer premium charged and the terms of the buyer premium.

Section 1440.240 Unlicensed Assistants

a) An unlicensed assistant shall include, but not be limited to, clerks, cashiers, clerical assistants, ring assistants and laborers.

b) An unlicensed assistant may, while under the direct supervision of, the sponsoring and/or managing auctioneer:
   1) prepare, track and document information during the course of an auction, such as a description of the property being sold or leased, the buyer of the property, and the price bid and accepted on the property;
   2) collect, accept, record and deposit moneys received from the sale

or lease of property at an auction;
   3) prepare, track, compute and document on forms (e.g., settlement sheets) information from the sale or lease of property at an auction and disburse funds to sellers;
   4) secure and assemble documents and information for an auction contract and complete contract forms at the direction of the sponsoring and/or managing auctioneer;
   5) draft and distribute advertising copy, fliers and promotional materials for an auction at the direction of the sponsoring and/or managing auctioneer;
   6) perform bookkeeping activities;
   7) monitor licenses and personnel files of licensed and unlicensed employees and agents;
   8) acknowledge a bid from a member of the audience during the sale or lease of property at an auction and convey the bid to the auctioneer, but only the auctioneer may accept such bid for the sale or lease of property at an auction; and
   9) move, handle and set up property to be sold or leased at auction at the direction of, and under the supervision of, the sponsoring and/or managing auctioneer.

c) An unlicensed assistant may not perform any activity other than those described in subsection (b) of this Section for which a license is required under the Act.

d) A non-resident employee of a vehicle dealer, that is exempt from licensure under the Act and these Rules, may perform the activities described in subsections A) and B) of this Section without requiring a license.

Section 1440.250 Felony Convictions; Discipline of Other Professional License; Notification

a) A licensee who has a license issued pursuant to the Act or this Part shall notify OBRE in writing within 30 days from the date of conviction for any crime described by Section 20-15(3) of the Act. In addition to the notice, the licensee shall provide to OBRE the court record and documents involved with the conviction or other information as required by OBRE to determine fitness for licensure.

b) A licensee who has had another license disciplined pursuant to Section 20-15(5) shall notify OBRE in writing within 30 days after any adverse final order. In addition to the notice, the licensee shall provide to OBRE the record and/or documents involved with the disciplinary action or other information as required by OBRE to determine fitness for licensure.

Section 1440.260 Advertising; Auction without Reserve; Absolute Auction

An auctioneer, associate auctioneer or auction firm shall not advertise or announce an auction as an "absolute auction" or "auction without reserve" or

words with a similar meaning unless:

a) there are no liens or encumbrances on the property to be sold other than current tax obligations, easements, or restrictions of record to any person other than the seller, unless every holder of each lien or encumbrance provides the auctioneer written evidence of a binding commitment that the liens or encumbrances shall be released immediately after the sale or at closing, without regard to the amount of the highest bid on the property or the identity of the high bidder; and

b) within the auction contract there is a binding written requirement that the seller, or agent of the seller, shall accept the highest bid, and transfer ownership of the property, without regard to the amount of the highest bid or the identity of the high bidder, and that the seller, or agent of the seller, shall not bid at the "absolute auction" or "auction without reserve", or otherwise participate in the bidding process.

Section 1440.270 Escrow or Trust Accounts

a) For the purposes of the Act and this Part "escrow monies" means all monies, promissory note, legal tender or financial consideration entrusted to, held by, and deposited with an auctioneer, associate auctioneer or auction firm in consideration of property sold or leased by the auctioneer, associate auctioneer or auction firm for the benefit of the parties to the transaction.

b) Pursuant to Section 20-15 of the Act, licensees who accept escrow monies shall maintain and deposit in a special account, separate and apart from any personal or ordinary business accounts, all monies entrusted to the licensee while acting as an auctioneer, while conducting an auction or providing an auction service.

c) A licensee may maintain more than one special account or may elect to hold all escrow monies in one special account. A licensee who accepts escrow monies shall maintain a special account, and shall maintain a bookkeeping system in his or her office or place of business, including systems of electronic data processing, and such system shall consist of the following:

1) A record book, called a journal, for each special account, that shall show the chronological sequence in which escrow monies were received and disbursed by the licensee and a running balance after each entry;

2) For each auction, a deal file which contains clerk sheets and settlement sheets that correspond to journal entries;

3) A record or account ledger (e.g., check ledger) that shall show the date, amount of monies deposited into the special account, and date, amount and payee of any money disbursed from the special account; and

4) Bank statements for each special account shall be reconciled monthly within 10 days after the receipt of the bank statement,

except where there has been no transactional activity during the previous month. The reconciliation shall include a written work sheet comparing the balances as shown on the bank statement, the journal and the ledger, respectively, in order to insure agreement between the special account and the journal and the ledger entries with respect to such special account. Each reconciliation shall be kept for at least three years from the last day of the month covered by the reconciliation.

d) A licensee who maintains any special account shall notify OBRE in writing of the name and location of the depository in which such special accounts are held, and shall execute a written consent giving OBRE the authority to examine and/or audit any or all such special accounts.

e) OBRE shall make available for distribution, on request, samples of approved bookkeeping systems.

f) A licensee shall not commingle any monies held for another in connection with the practice of auctioneering, conducting an auction, or providing an auction service with any personal account or normal business account. A licensee shall only deposit his or her own funds into the special accounts in which escrow monies are held to open the account or maintain a sufficient balance to avoid incurring service charges. In addition, a licensee shall not disburse monies from any special account for his own personal or business use, except for commissions, compensation, fees, advertising or other expenses incurred by the licensee pursuant to the terms of the auction listing contract.

g) A licensee shall deposit all escrow monies into the licensee's special account no later than the next business day following acceptance of the monies.

Section 1440.280 Termination for Failure to Pay Taxes, Child Support or Student Loan

a) If OBRE receives information that a licensee who has been issued a license under the Act has failed to pay or is more than 30 days in arrearage on taxes, court ordered child support or a student loan pursuant to Section 20-20 of the Act, OBRE shall notify, by certified mail, return receipt requested, a licensee that his or her license will be automatically terminated in 30 days from the date of the notice, unless the appropriate administering agency provides to OBRE information and proof that the licensee has corrected the failure to pay the arrearage.

b) The licensee may request a hearing on the termination, but the hearing shall be limited to the presentation of evidence on the issues of mistaken identity, proof that the respondent has entered into a payment plan or that the debt has been discharged in bankruptcy.

c) OBRE and the Board shall not hear evidence as to whether a licensee has failed to pay or is in arrearage on the payments. The

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responsibility for the hearing of evidence is with the appropriate administering agency.

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENT

1) Heading of the Part: Pay Plan

2) Code Citation: 80 Ill. Adm. Code 310

3) Section Number: 310.280 — Adopted Action: Amend

4) Statutory Authority: Authorized by Sections 8 and 8a of the Personnel Code [20 ILCS 415/8 and 8a].

5) Effective Date of Amendment: February 18, 2000

6) Does this rulemaking contain an automatic repeal date? No

7) Does this amendment contain incorporations by reference? No

8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.

9) Notice of Proposal Published in the Illinois Register: November 5, 1999; 23 Ill. Reg. 13285

10) Has JCAR issued a Statement of Objection to this amendment? No

11) Differences between proposal and final version: None

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes

13) Will this amendment replace an emergency amendment currently in effect? No

14) Are there any proposed amendments pending on this Part? Yes

Section Numbers	Proposed Action	Ill. Register Citation
310.280	Amend	24 Ill. Reg. 916
310.280	Amend	24 Ill. Reg. 1419
310.Appendix A, Table J	Amend	24 Ill. Reg. 2508

15) Summary and Purpose of Amendments:

The Designated Rate updates to Section 310.280 are reflected as follows:

In the Department of Commerce and Community Affairs, the Public Information Officer IV position annual salary was changed from $59,184 to $62,256.

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENT

A Private Secretary II (34202-50-19-000-00-01) with an annual salary of $49,008 was added for the Illinois State and Local Labor Relations Board.

A Senior Public Service Administrator (40070-10-65-000-00-01) with an annual salary of $105,475 was added for the Department of Human Services.

The Senior Public Service Administrator (40070-14-00-000-00-06) was deleted from the Designated Rate Section for the Department of Insurance.

16) Information and questions regarding this adopted amendment shall be directed to:

Mr. Michael Murphy
Department of Central Management Services
Division of Technical Services
504 William G. Stratton Building
Springfield, Illinois 62706
(217) 782-5601

The full text of the adopted amendments begin on the next page:

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENT

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES
SUBTITLE B: PERSONNEL RULES, PAY PLANS, AND POSITION CLASSIFICATIONS
CHAPTER I: DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

PART 310
PAY PLAN

SUBPART A: NARRATIVE

Section
310.20 Policy and Responsibilities
310.30 Jurisdiction
310.40 Pay Schedules
310.50 Definitions
310.60 Conversion of Base Salary to Pay Period Units
310.70 Conversion of Base Salary to Daily or Hourly Equivalents
310.80 Increases in Pay
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310.100 Other Pay Provisions
310.110 Implementation of Pay Plan Changes for Fiscal Year 2000
310.120 Interpretation and Application of Pay Plan
310.130 Effective Date
310.140 Reinstitution of Within Grade Salary Increases (Repealed)
310.150 Fiscal Year 1985 Pay Changes in Schedule of Salary Grades, Effective July 1, 1984 (Repealed)

SUBPART B: SCHEDULE OF RATES

Section
310.205 Introduction
310.210 Prevailing Rate
310.220 Negotiated Rate
310.230 Part-Time Daily or Hourly Special Services Rate
310.240 Hourly Rate
310.250 Member, Patient and Inmate Rate
310.260 Trainee Rate
310.270 Legislated and Contracted Rate
310.280 Designated Rate
310.290 Out-of-State or Foreign Service Rate
310.300 Educator Schedule for RC-063 and HR-010
310.310 Physician Specialist Rate
310.320 Annual Compensation Ranges for Executive Director and Assistant Executive Director, State Board of Elections
310.330 Excluded Classes Rate (Repealed)

SUBPART C: MERIT COMPENSATION SYSTEM

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Section
310.410 Jurisdiction
310.420 Objectives
310.430 Responsibilities
310.440 Merit Compensation Salary Schedule
310.450 Procedures for Determining Annual Merit Increases
310.455 Intermittent Merit Increase
310.456 Merit Zone (Repealed)
310.460 Other Pay Increases
310.470 Adjustment
310.480 Decreases in Pay
310.490 Other Pay Provisions
310.495 Broad-Band Pay Range Classes
310.500 Definitions
310.510 Conversion of Base Salary to Pay Period Units
310.520 Conversion of Base Salary to Daily or Hourly Equivalents
310.530 Implementation
310.540 Annual Merit Increase Guidechart for Fiscal Year 1999 ~~2000~~
310.550 Fiscal Year 1985 Pay Changes in Merit Compensation System, effective July 1, 1984 (Repealed)

APPENDIX A Negotiated Rates of Pay
TABLE A HR-190 (Department of Central Management Services - State of Illinois Building - SEIU)
TABLE AA NR-916 (Department of Natural Resources, Teamsters)
TABLE B HR-200 (Department of Labor - Chicago, Illinois - SEIU) (Repealed)
TABLE C RC-069 (Firefighters, AFSCME) (Repealed)
TABLE D HR-001 (Teamsters Local #726)
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TABLE G RC-045 (Automotive Mechanics, IFPE)
TABLE H RC-006 (Corrections Employees, AFSCME)
TABLE I RC-009 (Institutional Employees, AFSCME)
TABLE J RC-014 (Clerical Employees, AFSCME)
TABLE K RC-023 (Registered Nurses, INA)
TABLE L RC-008 (Boilermakers)
TABLE M RC-110 (Conservation Police Lodge)
TABLE N RC-010 (Professional Legal Unit, AFSCME)
TABLE O RC-028 (Paraprofessional Human Services Employees, AFSCME)
TABLE P RC-029 (Paraprofessional Investigatory and Law Enforcement Employees, IFPE)
TABLE Q RC-033 (Meat Inspectors, IFPE)
TABLE R RC-042 (Residual Maintenance Workers, AFSCME)
TABLE S HR-012 (Fair Employment Practices Employees, SEIU)
TABLE T HR-010 (Teachers of Deaf, IFT)
TABLE U HR-010 (Teachers of Deaf, Extracurricular Paid Activities)
TABLE V CU-500 (Corrections, Meet and Confer Employees)
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TABLE X RC-063 (Professional Employees, AFSCME)
TABLE Y RC-063 (Educators, AFSCME)
TABLE Z RC-063 (Physicians, AFSCME)
APPENDIX B Schedule of Salary Grades - Monthly Rates of Pay for Fiscal Year 2000
APPENDIX C Medical Administrator Rates for Fiscal Year 2000
APPENDIX D Merit Compensation System Salary Schedule for Fiscal Year 2000
APPENDIX E Teaching Salary Schedule (Repealed)
APPENDIX F Physician and Physician Specialist Salary Schedule (Repealed)
APPENDIX G Broad-Band Pay Range Classes Salary Schedule for Fiscal Year 2000

AUTHORITY: Implementing and authorized by Sections 8 and 8a of the Personnel Code [20 ILCS 415/8 and 8a].

SOURCE: Filed June 28, 1967; codified at 8 Ill. Reg. 1558; emergency amendment at 8 Ill. Reg. 1990, effective January 31, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 2440, effective February 15, 1984; emergency amendment at 8 Ill. Reg. 3348, effective March 5, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 4249, effective March 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 5704, effective April 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 7290, effective May 11, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 11299, effective June 25, 1984; emergency amendment at 8 Ill. Reg. 12616, effective July 1, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 15007, effective August 6, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 15367, effective August 13, 1984; emergency amendment at 8 Ill. Reg. 21310, effective October 10, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 21544, effective October 24, 1984; amended at 8 Ill. Reg. 22844, effective November 14, 1984; emergency amendment at 9 Ill. Reg. 1134, effective January 16, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 1320, effective January 23, 1985; amended at 9 Ill. Reg. 3681, effective March 12, 1985; emergency amendment at 9 Ill. Reg. 4163, effective March 15, 1985, for a maximum of 150 days; emergency amendment at 9 Ill. Reg. 9231, effective May 31, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 9420, effective June 7, 1985; amended at 9 Ill. Reg. 10663, effective July 1, 1985; emergency amendment at 9 Ill. Reg. 15043, effective September 24, 1985, for a maximum of 150 days; peremptory amendment at 10 Ill. Reg. 3325, effective January 22, 1986; amended at 10 Ill. Reg. 3230, effective January 24, 1986; emergency amendment at 10 Ill. Reg. 8904, effective May 13, 1986, for a maximum of 150 days; peremptory amendment at 10 Ill. Reg. 8928, effective May 13, 1986; emergency amendment at 10 Ill. Reg. 12090, effective June 30, 1986, for a maximum of 150 days; peremptory amendment at 10 Ill. Reg. 13675, effective July 31, 1986; peremptory amendment at 10 Ill. Reg. 14867, effective August 26, 1986; amended at 10 Ill. Reg. 15567, effective September 17, 1986; emergency amendment at 10 Ill. Reg. 17765, effective September 30, 1986, for a maximum of 150 days; peremptory amendment at 10 Ill. Reg. 19132, effective October 28, 1986; peremptory amendment at 10 Ill. Reg. 21097, effective December 9, 1986; amended at 11 Ill.

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Reg. 648, effective December 22, 1986; peremptory amendment at 11 Ill. Reg. 3363, effective February 3, 1987; peremptory amendment at 11 Ill. Reg. 4388, effective February 27, 1987; peremptory amendment at 11 Ill. Reg. 6291, effective March 23, 1987; amended at 11 Ill. Reg. 5901, effective March 24, 1987; emergency amendment at 11 Ill. Reg. 8787, effective April 15, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 11830, effective July 1, 1987, for a maximum of 150 days; peremptory amendment at 11 Ill. Reg. 13675, effective July 29, 1987; amended at 11 Ill. Reg. 14984, effective August 27, 1987; peremptory amendment at 11 Ill. Reg. 15273, effective September 1, 1987; peremptory amendment 11 Ill. Reg. 17919, effective October 19, 1987; peremptory amendment at 11 Ill. Reg. 19812, effective November 19, 1987; emergency amendment at 11 Ill. Reg. 20664, effective December 4, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20778, effective December 11, 1987; peremptory amendment at 12 Ill. Reg. 3811, effective January 27, 1988; peremptory amendment at 12 Ill. Reg. 5459, effective March 3, 1988; amended at 12 Ill. Reg. 6073, effective March 21, 1988; peremptory amendment at 12 Ill. Reg. 7783, effective April 14, 1988; emergency amendment at 12 Ill. Reg. 7734, effective April 15, 1988, for a maximum of 150 days; peremptory amendment at 12 Ill. Reg. 8135, effective April 22, 1988; peremptory amendment at 12 Ill. Reg. 9745, effective May 23, 1988; emergency amendment at 12 Ill. Reg. 11778, effective July 1, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 12895, effective July 18, 1988, for a maximum of 150 days; peremptory amendment at 12 Ill. Reg. 13306, effective July 27, 1988; corrected at 12 Ill. Reg. 13359; amended at 12 Ill. Reg. 14630, effective September 6, 1988; amended at 12 Ill. Reg. 20449, effective November 28, 1988; peremptory amendment at 12 Ill. Reg. 20584, effective November 28, 1988; peremptory amendment at 13 Ill. Reg. 8080, effective May 10, 1989; amended at 13 Ill. Reg. 8849, effective May 30, 1989; peremptory amendment at 13 Ill. Reg. 8970, effective May 26, 1989; emergency amendment at 13 Ill. Reg. 10967, effective June 20, 1989, for a maximum of 150 days; emergency amendment expired on November 17, 1989; amended at 13 Ill. Reg. 11451, effective June 28, 1989; emergency amendment at 13 Ill. Reg. 11854, effective July 1, 1989, for a maximum of 150 days; corrected at 13 Ill. Reg. 12647; peremptory amendment at 13 Ill. Reg. 12887, effective July 24, 1989; amended at 13 Ill. Reg. 16950, effective October 20, 1989; amended at 13 Ill. Reg. 19221, effective December 12, 1989; amended at 14 Ill. Reg. 615, effective January 2, 1990; peremptory amendment at 14 Ill. Reg. 1627, effective January 11, 1990; amended at 14 Ill. Reg. 4455, effective March 12, 1990; peremptory amendment at 14 Ill. Reg. 7652, effective May 7, 1990; amended at 14 Ill. Reg. 10002, effective June 11, 1990; emergency amendment at 14 Ill. Reg. 11330, effective June 29, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 14361, effective August 24, 1990; emergency amendment at 14 Ill. Reg. 15570, effective September 11, 1990, for a maximum of 150 days; emergency amendment expired on February 8, 1991; corrected at 14 Ill. Reg. 16092; peremptory amendment at 14 Ill. Reg. 17098, effective September 26, 1990; amended at 14 Ill. Reg. 17189, effective October 2, 1990; amended at 14 Ill. Reg. 17189, effective October 19, 1990; amended at 14 Ill. Reg. 18719, effective November 13, 1990; peremptory amendment at 14 Ill. Reg. 18854, effective November 13, 1990; peremptory amendment at 15 Ill. Reg. 663,

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effective January 7, 1991; amended at 15 Ill. Reg. 3296, effective February 14, 1991; amended at 15 Ill. Reg. 4401, effective March 11, 1991; peremptory amendment at 15 Ill. Reg. 5100, effective March 20, 1991; peremptory amendment at 15 Ill. Reg. 5465, effective April 2, 1991; emergency amendment at 15 Ill. Reg. 10485, effective July 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 11080, effective July 19, 1991; amended at 15 Ill. Reg. 13080, effective August 21, 1991; amended at 15 Ill. Reg. 14210, effective September 23, 1991; emergency amendment at 16 Ill. Reg. 711, effective December 26, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 3450, effective February 20, 1992; peremptory amendment at 16 Ill. Reg. 5068, effective March 11, 1992; peremptory amendment at 16 Ill. Reg. 7056, effective April 20, 1992; emergency amendment at 16 Ill. Reg. 8239, effective May 19, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 8382, effective May 26, 1992; emergency amendment at 16 Ill. Reg. 13950, effective August 19, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 14452, effective September 4, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 238, effective December 23, 1992; peremptory amendment at 17 Ill. Reg. 498, effective December 18, 1992; amended at 17 Ill. Reg. 590, effective January 4, 1993; amended at 17 Ill. Reg. 1819, effective February 2, 1993; amended at 17 Ill. Reg. 6441, effective April 8, 1993; emergency amendment at 17 Ill. Reg. 12900, effective July 22, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 13409, effective July 29, 1993; emergency amendment at 17 Ill. Reg. 13789, effective August 9, 1993, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 14666, effective August 26, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 19103, effective October 25, 1993; emergency amendment at 17 Ill. Reg. 21858, effective December 1, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 22514, effective December 15, 1993; amended at 18 Ill. Reg. 227, effective December 17, 1993; amended at 18 Ill. Reg. 1107, effective January 18, 1994; amended at 18 Ill. Reg. 5146, effective March 21, 1994; peremptory amendment at 18 Ill. Reg. 9562, effective June 13, 1994; emergency amendment at 18 Ill. Reg. 11299, effective July 1, 1994, for a maximum of 150 days; peremptory amendment at 18 Ill. Reg. 13476, effective August 17, 1994; emergency amendment at 18 Ill. Reg. 14417, effective September 9, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 16545, effective October 31, 1994; peremptory amendment at 18 Ill. Reg. 16708, effective October 28, 1994; amended at 18 Ill. Reg. 17191, effective November 21, 1994; amended at 19 Ill. Reg. 1024, effective January 24, 1995; peremptory amendment at 19 Ill. Reg. 2481, effective February 17, 1995; peremptory amendment at 19 Ill. Reg. 3073, effective February 17, 1995; amended at 19 Ill. Reg. 3456, effective March 7, 1995; peremptory amendment at 19 Ill. Reg. 5145, effective March 14, 1995; amended at 19 Ill. Reg. 6452, effective May 2, 1995; peremptory amendment at 19 Ill. Reg. 6688, effective May 1, 1995; amended at 19 Ill. Reg. 7841, effective June 1, 1995; amended at 19 Ill. Reg. 8156, effective June 12, 1995; amended at 19 Ill. Reg. 9096, effective June 27, 1995; emergency amendment at 19 Ill. Reg. 11954, effective August 1, 1995, for a maximum of 150 days; peremptory amendment at 19 Ill. Reg. 13979, effective September 19, 1995; peremptory amendment at 19 Ill. Reg. 15103, effective October 12, 1995; amended at 19 Ill. Reg. 16160, effective November 28, 1995; amended at 20 Ill. Reg. 308, effective December

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22, 1995; emergency amendment at 20 Ill. Reg. 4060, effective February 27, 1996, for a maximum of 150 days; peremptory amendment at 20 Ill. Reg. 6334, effective April 22, 1996; peremptory amendment at 20 Ill. Reg. 7434, effective May 14, 1996; amended at 20 Ill. Reg. 8301, effective June 11, 1996; amended at 20 Ill. Reg. 8657, effective June 20, 1996; amended at 20 Ill. Reg. 9006, effective June 26, 1996; amended at 20 Ill. Reg. 9925, effective July 10, 1996; emergency amendment at 20 Ill. Reg. 10213, effective July 15, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 10841, effective August 5, 1996; peremptory amendment at 20 Ill. Reg. 13408, effective September 24, 1996; amended at 20 Ill. Reg. 15018, effective November 7, 1996; peremptory amendment at 20 Ill. Reg. 15092, effective November 7, 1996; emergency amendment at 21 Ill. Reg. 1023, effective January 6, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 1629, effective January 22, 1997; amended at 21 Ill. Reg. 5144, effective April 15, 1997; amended at 21 Ill. Reg. 6444, effective May 15, 1997; amended at 21 Ill. Reg. 7118, effective June 3, 1997; emergency amendment at 21 Ill. Reg. 10061, effective July 21, 1997, for a maximum of 150 days; emergency amendment at 21 Ill. Reg. 12859, effective September 8, 1997, for a maximum of 150 days; peremptory amendment at 21 Ill. Reg. 14267, effective October 14, 1997; peremptory amendment at 21 Ill. Reg. 14589, effective October 15, 1997; peremptory amendment at 21 Ill. Reg. 15030, effective November 10, 1997; amended at 21 Ill. Reg. 16344, effective December 9, 1997; peremptory amendment at 21 Ill. Reg. 16465, effective December 4, 1997; peremptory amendment at 21 Ill. Reg. 17167, effective December 9, 1997; peremptory amendment at 22 Ill. Reg. 1593, effective December 22, 1997; amended at 22 Ill. Reg. 2580, effective January 14, 1998; peremptory amendment at 22 Ill. Reg. 4326, effective February 13, 1998; peremptory amendment at 22 Ill. Reg. 5108, effective February 26, 1998; peremptory amendment at 22 Ill. Reg. 5749, effective March 3, 1998; amended at 22 Ill. Reg. 6204, effective March 12, 1998; peremptory amendment at 22 Ill. Reg. 7053, effective April 1, 1998; peremptory amendment at 22 Ill. Reg. 7320, effective April 10, 1998; peremptory amendment at 22 Ill. Reg. 7692, effective April 20, 1998; emergency amendment at 22 Ill. Reg. 12607, effective July 2, 1998, for a maximum of 150 days; peremptory amendment at 22 Ill. Reg. 15489, effective August 7, 1998; amended at 22 Ill. Reg. 16158, effective September 30, 1998; peremptory amendment at 22 Ill. Reg. 19105, effective September 30, 1998; peremptory amendment at 22 Ill. Reg. 19943, effective October 27, 1998; peremptory amendment at 22 Ill. Reg. 20406, effective November 5, 1998; amended at 22 Ill. Reg. 20581, effective November 16, 1998; amended at 23 Ill. Reg. 664, effective January 1, 1999; peremptory amendment at 23 Ill. Reg. 730, effective December 29, 1998; emergency amendment at 23 Ill. Reg. 6533, effective May 10, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 7065, effective June 3, 1999; emergency amendment at 23 Ill. Reg. 8169, effective July 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 11020, effective August 26, 1999; amended at 23 Ill. Reg. 12429, effective September 21, 1999; peremptory amendment at 23 Ill. Reg. 12493, effective September 23, 1999; amended at 23 Ill. Reg. 12604, effective September 24, 1999; amended at 23 Ill. Reg. 13053, effective September 27, 1999; peremptory amendment at 23 Ill. Reg. 13132, effective October 1, 1999; amended at 23 Ill. Reg. 13570, effective October 26, 1999; amended at 23 Ill. Reg. 14020,

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effective November 15, 1999; amended at 24 Ill. Reg. 1025, effective January 7, 2000; peremptory amendment at 24 Ill. Reg. 3399, effective February 3, 2000; amended at 24 Ill. Reg. 3537, effective FEB 18 2000.

SUBPART B: SCHEDULE OF RATES

Section 310.280 Designated Rate

The rate of pay for a specific position or class of positions where it is deemed desirable to exclude such from the other requirements of this Pay Plan shall be only as designated by the Governor.

Department of Commerce & Community Affairs

Economic Development Representative II (Pos. No. 12932-42-35-110-10-02)	Annual Salary 54,048
Private Secretary II (Pos. No. 34202-42-00-000-01-02)	Annual Salary 48,492
Public Information Officer IV (Pos. No. 37004-42-00-005-10-01)	Annual Salary ~~59,104~~ 62,256
Public Service Administrator (Pos. No. 37015-42-35-140-20-01)	Annual Salary 74,508

~~Department of Insurance~~

~~Senior Public Service Administrator~~ ~~(Pos. No. 40070-14-00-008-00-06)~~	~~Annual Salary~~ ~~108,992~~

Department of Human Services

Medical Administrator I, Option D (Pos. No. 26401-10-79-006-00-21)	Annual Salary 142,368
Public Service Administrator (Pos. No. 37015-10-23-100-30-01)	Annual Salary 70,464
Senior Public Service Administrator (Pos. No. 40070-10-65-000-00-01)	Annual Salary 105,475
Senior Public Service Administrator (Pos. No. 40070-10-81-920-00-21)	Annual Salary 105,480

Illinois State & Local Labor Relations Board

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Private Secretary II (Pos. No. 34202-50-19-000-00-01)	Annual Salary 49,008

Department of Natural Resources

Administrative Assistant II (Pos. No. 00502-12-30-000-20-01)	Annual Salary 50,520

Department of State Police

Senior Public Service Administrator (Pos. No. 40070-21-10-000-00-01)	Annual Salary 109,358

(Source: Amended at 24 Ill. Reg. 3537, effective FEB 18 2000)

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NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Required Procedure for Filing and Securing Approval of Policy Forms for Life Insurance, Annuity and Accident and Health Insurance, Voluntary Health Services Plans, Dental Service Plans, Limited Health Service Organizations and Health Maintenance Organizations

2) Code Citation: 50 Ill. Adm. Code 916

3)

Section Number:	Adopted Action:
916.10	Amendment
916.30	Amendment
916.40	Amendment
916.Exhibit A	Amendment
916.Exhibit B	Amendment
916.Exhibit C	Repealed, New Section
916.Exhibit G	New Section
916.Exhibit H	Renumbered, Amendment
916.Exhibit I	Renumbered, Amendment
916.Exhibit J	Renumbered, Amendment

4) Statutory Authority: Implementing Section 143 of the Illinois Insurance Code [215 ILCS 5/143] and Section 10 of the Voluntary Health Services Plan Act [215 ILCS 165/10] and Section 10 of the Dental Service Plan Act [215 ILCS 110/10] and Section 4003 of the Limited Health Service Organization Act [215 ILCS 130/4003] and Section 5-3 of the Health Maintenance Organization Act [215 ILCS 125/5-3] and authorized by Section 401 of the Illinois Insurance Code [215 ILCS 5/401].

5) Effective Date of Amendment: February 18, 2000

6) Does this amendment contain an automatic repeal date? No

7) Does this amendment contain incorporations by reference? No

8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.

9) Notice of Proposal Published in Illinois Register: June 18, 1999, 23 Ill. Reg. 6999

10) Has JCAR issued a Statement of Objection to this amendment? No

11) Differences between proposal and final version:

a) In the title of this Part, strike "VISION SERVICE PLANS".

b) In the main authority note, strike "and Section 10 of the Vision

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED AMENDMENTS

Service Plan Act [215 ILCS 160/10]".

c) In Section 916.10, on the seventh line strike "and Section 10 of the Vision Service Plan Act" and "[215 ILCS 160/10]".

d) In Section 916.30, in the definition of "Company", on the third and fourth line, strike "in Section 2 of the Vision Service Plan Act [215 ILCS 160/2]".

In Section 916.30, in the definition of "Matrix/Insert Page", strike the "/". Also in the third sentence, strike the comma following "riders".

e) In Section 916.40(b)(3),(h)(2),(i)(3),(j)(3), Section 916.ExhibitG(9)(F),(10)(E), (12)(B), Section 916.Exhibit H(9)(B), Section 916.Exhibit I(12) in the second "Note" and Section 916.Exhibit I(9)(B) in the second "Note", change "July 1, 2000" to "January 1, 2001".

f) In Section 916.40(h)(5), strike all text.

g) In Section 916.Exhibit B, under the Life, Code category, delete "EII EXTERNAL INTEREST INDEX" and also add "MFA MARKET FUNDING AGREEMENT".

h) In Section 916.Exhibit B, under the Life, Subcode category, add "EII EXTERNAL INTEREST INDEX".

i) In Section 916.Exhibit B, under the Annuities, Code category, add "MFA MARKET FUNDING AGREEMENT".

j) In Section 916.Exhibit B, under the Accident and Health, Code category, add "HDF HIGH DEDUCTIBLE MED. SUPP. - PLAN F" and "HDJ HIGH DEDUCTIBLE MED. SUPP. - PLAN J".

k) In Section 916.Exhibit B, under the Accident and Health, Subcode category, delete "HDF HIGH DEDUCTIBLE MED. SUPP. - PLAN F" and "HDJ HIGH DEDUCTIBLE MED. SUPP. - PLAN J" and "HIP HEALTH INSURANCE PORTABILITY HIPAA (GROUP)". Also add "HLP HIPAA LARGE PORTABLE", "HSP HIPAA SMALL PORTABLE" and HTQ HIPPA TAX QUALIFIED (TRADITIONAL LONG-TERM CARE) in lieu thereof.

l) In Section 916.Exhibit B, under the Accident and Health, Subcode category, add "NTQ NONTAX QUALIFIED (TRADITIONAL LONG-TERM CARE)" and delete "SEP SMALL EMPLOYER PORTABLE [215 ILCS 95/1 ET SEQ]."

m) In Section 916.Exhibit B, under the Service Organizations, Code category, add "HDF HIGH DEDUCTIBLE MED. SUPP. - PLAN F" and "HDJ HIGH DEDUCTIBLE MED. SUP. - PLAN J".

n) In Section 916.Exhibit B, under the Service Organizations, Subcode

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category, delete "HIP HEALTH INSURANCE PORTABILITY HIP (GROUP)" and add "HLP HIPAA LARGE PORTABLE" and add "HSP HIPAA SMALL PORTABLE" in lieu thereof.

o) In Section 916.Exhibit B, under the Service Organizations, Subcode category, delete "SEP SMALL EMPLOYER PORTABLE [215 ILCS 95/1 ET SEQ]".

p) In Section 916.Exhibit C, add "Code" under "Category" and the acronyms that are under "Category". Also under "Code", add "MED MEDICARE".

q) In Section 916.Exhibit C, under the Subcode category, add "SEP SMALL EMPLOYER PORTABLE [215 ILCS 95/1 ET SEQ.]".

r) In Section 916.Exhibit G(13), change "Approved" to "Accepted" on the first line and change "approved" to "accepted" on the second line.

s) In Section 916.Exhibit G(13), add "and/" following "9" on the third line.

12) Have all changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes

13) Will this amendment replace an emergency amendment currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of rulemaking: The Department is expanding Exhibit B to include new codes for various new products, we're deleting obsolete codes which will now be contained in Exhibit C and we're also adding more specific product designations in some areas.

Beginning in January of the year 2001, the Department will also require companies to submit all transmittal filing forms made pursuant to this Part electronically. Until such time, electronic filing is optional for companies. In July of 2000, the Department will mail to all companies our software program along with instructions and specifications companies will need to successfully make electronic transmittal filings with the Department.

In addition to the above substantive changes, the Department is also making two housekeeping changes. P.A. 90-372 repealed the Pharmaceutical Service Plan Act, effective July 1, 1998, and P.A. 90-177 repealed the Vision Service Plan Act, effective July 23, 1997, and as a result, the Department is deleting all references to these two Acts throughout our rule.

16) Information and questions regarding this adopted amendment shall be directed to:

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Gary Brooks
Department of Insurance (217) 785-6441
320 West Washington
Springfield, Illinois 62767-0001

The full text of the adopted amendments begins on the next page.

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NOTICE OF ADOPTED AMENDMENTS

TITLE 50: INSURANCE
CHAPTER I: DEPARTMENT OF INSURANCE
SUBCHAPTER l: PROVISIONS APPLICABLE TO ALL COMPANIES

PART 916
REQUIRED PROCEDURE FOR FILING AND SECURING APPROVAL
OF POLICY FORMS FOR LIFE INSURANCE, ANNUITY AND ACCIDENT AND HEALTH
INSURANCE, VOLUNTARY HEALTH SERVICES PLANS,
~~VISION SERVICE PLANS,~~ DENTAL SERVICE PLANS,
~~PHARMACEUTICAL SERVICE PLANS,~~ LIMITED HEALTH
SERVICE ORGANIZATIONS AND HEALTH MAINTENANCE ORGANIZATIONS
~~POLICY FORMS~~

Section
916.10 Authority
916.20 Purpose and Scope
916.30 Definitions
916.40 Filing Procedures
916.50 Certification of Compliance and Procedure for Order of Withdrawal
916.60 Effective Date (Repealed)

EXHIBIT A Certificate of Compliance
EXHIBIT B Coding Guide
EXHIBIT C Discontinued Acronyms From Exhibit B Coding Guide ~~General Transmittal Instructions and Transmittal Sheet~~
EXHIBIT G General Transmittal Instructions and Transmittal
EXHIBIT ~~H ILLUSTRATION A~~ Replacement/Withdrawal Transmittal Instructions and Transmittal ~~Sheet~~
EXHIBIT ~~I ILLUSTRATION B~~ Certificate of Assumption Transmittal Instructions and Transmittal ~~Sheet~~
EXHIBIT ~~J ILLUSTRATION C~~ Informational Filing Transmittal Instructions and Transmittal ~~Sheet~~

AUTHORITY: Implementing Section 143 of the Illinois Insurance Code [215 ILCS 5/143] and Section 10 of the Voluntary Health Services Plans Act [215 ILCS 165/10] and Section 10 of the Dental Service Plan Act [215 ILCS 110/10] and Section 4003 of the Limited Health Service Organization Act [215 ILCS 30/4003] and Section 5-3 of the Health Maintenance Organization Act [215 ILCS 125/5-3] and authorized by Section 401 of the Illinois Insurance Code [215 ILCS 5/401].

SOURCE: Filed November 13, 1975, effective December 1, 1975; codified at 6 Ill. Reg. 14844; amended at 9 Ill. Reg. 18139, effective February 13, 1986; amended at 17 Ill. Reg. 15853, effective September 14, 1993; amended at 20 Ill. Reg. 6848, effective May 1, 1996; amended at 23 Ill. Reg. 3547, effective FEB 18 2000.

Section 916.10 Authority

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This Part is promulgated by the Director of Insurance pursuant to authority contained in Section 401 of the Illinois Insurance Code ~~{111.~Rev.~Stat.~1991, ch.~73, par.~1013}~~ [215 ILCS 5/401] which empowers the Director to make reasonable rules and regulations as may be necessary for making effective insurance laws of the State of Illinois. This Part implements ~~particularly~~ Section 143 of the Illinois Insurance Code ~~{111.~Rev.~Stat.~1991, ch.~73, par.~755}~~ [215 ILCS 5/143] and Section 10 of the Voluntary Health Services Plans Act ~~{111.~Rev.~Stat.~1991, ch.~32, par.~604}~~ [215 ILCS 165/10 ~~{1992~~ ~~Supp.}~~] ~~and Section 10 of the Vision Service Plan Act {111. Rev. Stat. 1991, ch. 32, par. 660}~~ ~~{215 ILCS 160/10 {1992 Supp.}~~ and Section 25 ~~10~~ of the Dental Service Plan Act ~~{111.~Rev.~Stat.~1991, ch.~32, par.~690.25}~~ [215 ILCS 100/25 ~~{1992~~ ~~Supp.}~~] ~~and Section 24 of the Pharmaceutical Service Plan Act {111. Rev. Stat. 1991, ch. 32, par. 691.24} {215 ILCS 135/24 {1992 Supp.}~~ and Section 4003 of the Limited Health Service Organization Act ~~{111.~Rev.~Stat.~1991, ch.~73, par.~1504.3}~~ [215 ILCS 130/4003 ~~{1992~~ ~~Supp.}~~] and Section 5-3 of the Health Maintenance Organization Act ~~{111. Rev. Stat. 1991, ch. 111 1/2, par. 1411.2}~~ [215 ILCS 125/5-3 ~~{1992~~ ~~Supp.}~~].

(Source: Amended at 24 Ill. Reg. 3547, effective JAN 18 2000)

Section 916.30 Definitions

Category means the general classification of the policy form to be issued or delivered.

Certificate of Assumption Transmittal ~~Sheet~~ means a coding blank to be completed when one company assumes a block of business from another company. Instructions for completing the Certificate of Assumption Transmittal Instructions and Transmittal ~~Sheet~~ are found in Exhibit I of this Part ~~C, Illustration B~~.

Certificate of Compliance can be found in Exhibit A of this Part.

Code means a general description of the policy form to be issued or delivered. (Exhibit B, Coding Guide).

Coding Guide represents by abbreviation types of coverage. (Exhibit B, Coding Guide).

Combination Form means a policy form which will be used for both Life and Accident and Health.

Company means any entity which is defined as a "company" in Section 2 of the Illinois Insurance Code [215 ILCS 5/2], in Section 2 of the Voluntary Health Services Plans Act [215 ILCS 165/2], ~~in Section 2 of the Vision Service Plan Act {215 ILCS 160/2}~~, in Section 3 of the Dental Service Plan Act [215 ILCS 110/3], ~~in Section 3 of the~~

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~~Pharmaceutical Service Plan Act {215 ILCS 135/3},~~ in Section 1002 of the Limited Health Service Organization Act [215 ILCS 130/1002], and in Section 1-2 of the Health Maintenance Organization Act [215 ILCS 125/1-2], and which issues or delivers in the State of Illinois policies, group contracts or certificates of life, annuity and accident and health insurance, which fall within the definition of Classes 1(a), 1(b) and 2(a) of Section 4 of the ~~said~~ Illinois Insurance Code [215 ILCS 5/4].

Department means the Illinois Department of Insurance.

Director means the Director of the Illinois Department of Insurance.

Electronic Mail Identification Number means the e-mail ~~.---The Electronic mail~~ address that Department policy analysts may use to communicate electronically with the named contact person who is filing the transmittal. Filers who use IBM mail shall include their IBM mail identification number. Internet users shall contact the Department for more information. Filing acknowledgement postcards from the Department will include the electronic mail address of the analyst first assigned to review this filing.

Filing Identification Number means the number assigned by the company, not to exceed 15 characters, and is used to distinguish one filing from any other filing submitted by that same company. All policy forms submitted in a filing shall be for the same line of business and same category.

General Purpose Form means a policy form may be used with either a group or individual policy form.

General Transmittal ~~Sheet~~ means a coding blank for identifying policy forms in a filing ~~which shall be attached to the letter of submittal~~. Instructions for completing the General Transmittal are contained in Exhibit G of this Part ~~Sheet follow as Exhibit C~~. All policy forms submitted on a general transmittal ~~sheet~~ shall be for the same line of business and the same category.

Informational Type means a filing of a policy, rate or other informational material which does not require approval by the Director, but is filed for informational purposes only. Such filings would include, but not be limited to, information policy (INP), other state approvals (OSA), calculations (CAL) and variable material (VAM). Anything listed as an Informational Type from Exhibit B of this Part shall be submitted on an informational transmittal ~~sheet~~.

Informational Transmittal ~~Sheet~~ means a coding blank to be completed when submitting an informational filing. ~~See Exhibit C, Illustration~~

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~~c.~~ Instructions for completing the Informational Transmittal ~~Sheet~~ are contained ~~also found~~ in Exhibit J of this Part ~~c. Illustration C~~. For informational filings which require a relationship, if ~~if~~ the filing and form numbers of the policies to which this information is related are not listed, the informational filing will not be processed.

Matrix~~/~~ Insert Page (MIP) means the type of policy forms submitted for review with consideration given to each provision or individual page. Each matrix insert page shall be identified with its own unique policy form number located in the lower left hand corner of the document. Each matrix insert page shall be associated to a policy or certificate. Optional endorsement riders~~,~~ (Type OER) and required endorsement riders (Type RER) shall not be made up of matrix insert pages.

Optional Endorsement/Rider (OER) means an endorsement which is not required by regulation or statute, and at the applicant's/insured's or insurer's option is attached to various policies. Optional endorsement riders (Type OER) shall not be made up of matrix insert pages or schedule pages. For purposes of completing the general transmittal ~~sheet~~ an OER is a policy form type and does not require an association record.

Policy Form means any form to be issued or delivered in the State of Illinois constituting in form and content a policy, group contract or certificate of insurance or evidence of coverage, endorsement, rider, by-law or other matter incorporated by reference, or application blank or discretionary group forms requiring the Director's approval pursuant to Section 230.2 and 367.3 of the Illinois Insurance Code [215 ILCS 5/230.2 and367.3]. It does not include riders or endorsements issued or made at the request of the individual policyholder relating to the manner of distribution of benefits or to the reservation of rights and benefits under a life insurance policy. A policy form does not include any rider or endorsement made a part of a policy subsequent to the date the policy is issued and unilaterally reduces benefits; such riders or endorsements shall be reviewed and approved by the Director prior to their issuance or delivery pursuant to Section 143 of the Illinois Insurance Code [215 ILCS 5/143]. A General Transmittal ~~transmittal sheet~~ is required to be submitted with all policy forms, including subsequently issued riders or endorsements.

Replacement/Withdrawal Transmittal Sheet means a coding blank to be completed when an approved policy form is being replaced, or when an approved policy form is no longer being issued. Instructions for completing the Replacement/Withdrawal Transmittal Sheet are contained ~~found~~ in Exhibit H of this Part ~~c. Illustration A~~.

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Required Endorsement/Rider (RER) means an endorsement that incorporates a mandatory contract provision which is required by regulation or statute. Such RER shall be attached to a policy form either as a condition of approval or to incorporate new contract provisions. Required endorsement/riders (Type RER) shall not be made up of matrix insert pages.

Required Informational Material (RIM) includes, but is not limited to, those identified in 50 Ill. Adm. Code 1407.50 and 2012.60(f)(1) through (f)(3).

Schedule Page(s) (SCP) means a policy form which incorporates or changes the benefits or services covered by the policy and/or certificate or changes the maximums, deductibles, coinsurance or copays of the policy or certificate to which it is attached. When a multiple of different schedule pages is submitted for use with a single policy or certificate, each schedule page shall be identified with a unique form number. A filing fee is required for each schedule page.

Subcode means a detailed description of the policy form, found in Exhibit B of this Part.

Type means the characteristic of the policy form found in Exhibit B of this Part.

(Source: Amended at 24 Ill. Reg. 3547, effective FEB 18 2000)

Section 916.40 Filing Procedures

a) Effective July 1, 1996 and each July 1 thereafter, each company doing business in the State of Illinois shall submit a "Certification of Compliance" for all previously approved policy forms on file with the Department and for all policy form filings to be made during the next fiscal year. Every May a listing of approved policy forms on file with the State of Illinois will be provided to each company. Each company is responsible for withdrawing the policy forms included in this listing which the company is no longer issuing or marketing. However, policy forms which require related informational rate filings to be made should not be withdrawn. Each company will be responsible for certifying that the remaining policy forms either in use or being issued are in compliance by submitting the Certificate of Compliance found in ~~Part 916~~ Exhibit A of this Part ~~(50 Ill. Adm. Code 916)~~.

b) Each company shall file with and secure the approval of the Director for each policy form before it is issued or delivered. Each policy form filing shall include:

1) A letter of submission giving a detailed description of:

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A) the purpose for the policy form and the manner in which it will be marketed;
B) a cross reference filing number for identical submissions made by affiliated companies;
2) The policy form(s) in duplicate;
3) A typewritten General Transmittal Sheet, as set forth in Exhibit G of this Part, ~~e, in duplicate~~ identifying the company filing number and listing the policy form numbers. No later than January 1, 2001 all companies must electronically submit the General Transmittal to the Director for all filings made pursuant to this Part. Computer generated General Transmittals will replace hard copy filings and must meet the prescribed specifications set forth by the Director. Prior to January 1, 2001 computer generated General Transmittal filings are optional. All forms in such filings shall be for the same line of business and the same category as found in Exhibit B. Also, identify the type, code, and subcode as set forth in Exhibit B of this Part. The transmittal ~~sheets~~ required for policy form filings shall be substantially similar to those set forth in Exhibits ~~Exhibit~~ G, H, I and J ~~e~~ of this Part. Instructions for completing the General Transmittal Sheet and applying the category, type, code and subcode for each policy form are included in Exhibit G ~~e~~. A combination form shall be submitted as two separate filings. Each shall be identified by its own filing identification number.
4) The text of each policy form shall be made out in "John Doe" fashion, bracketing any appropriate variable material. The form number shall appear in the lower left-hand corner of the policy form to be approved, and shall not exceed 30 characters.
5) Resubmission of pending policy forms within a filing shall be submitted under their original "Filing Identification Number".

c) Riders or endorsements which unilaterally reduce benefits, and are attached to a policy subsequent to the date the policy is issued, shall be reviewed and formally approved by the Director prior to their issuance or delivery and shall be submitted on a separate typewritten general transmittal ~~sheet~~. A Certificate of Compliance is not applicable to these formally approved policy forms.

d) Substitution of any new policy form for a form previously approved, where such new policy form bears the same form number as the previously approved form, shall be accompanied by a statement that the filing is a substitution and the number or identification of the previously approved form and the date of the previous approval together with advice that the previously approved policy form was never issued. Substitution filings shall be assigned their own filing identification number, and the substituted filing shall be withdrawn by completing a typewritten replacement/withdrawal transmittal ~~sheet~~.

e) Accident and health policy form filings written on an individual basis, Medicare supplement policy form filings and long-term care policy form filings shall be accompanied by an informational rate filing which provides a description of the classification of risks and the premium rates. Data demonstrating the calculation of the rates shall accompany each individual accident and health policy form as a separate informational filing. Subsequent rates shall be submitted as information on a typewritten informational transmittal ~~sheet~~ pursuant to subsection (j) below.

f) Credit policy form filings shall be accompanied by a separate informational rate filing which provides a description of the classification of risks and the premium rates. Data demonstrating the calculation of the rates shall accompany each credit policy form as a separate informational filing. Subsequent credit rates shall be submitted on a typewritten informational transmittal ~~sheet~~ pursuant to subsection (j) below.

g) An invoice will be mailed to the company by the Department for the required filing fee on a quarterly basis.

h) Each Replacement/Withdrawal of a policy form shall include:
1) A letter of explanation.
2) A typewritten Replacement/Withdrawal Transmittal Sheet, as set forth in Exhibit H of this Part ~~e, illustration A, in duplicate~~ listing the filing identification number and policy form number of the forms to be withdrawn. No later than January 1, 2001 all companies must electronically submit the Replacement/Withdrawal Transmittal to the Director when policy forms are to be withdrawn. Computer generated Replacement/Withdrawal Transmittals will replace hard copy filings and must meet prescribed specifications set forth by the Director. Prior to January 1, 2001, computer generated Replacement/Withdrawal Transmittal filings are optional.
3) Each time a company's policy form will no longer be issued, it is the responsibility of the company to notify the Director of such action, on the Replacement/Withdrawal Transmittal Sheet, ~~Exhibit e, illustration A~~. Instructions for completing the Replacement/Withdrawal Transmittal Sheet are contained ~~found~~ in Exhibit H of this Part ~~e, illustration A~~.
4) Each May a listing of approved policy forms on file with the State will be provided to each company. The purpose of this listing is to require the company to determine which policy forms should be withdrawn and to notify the Department each year of the policy forms in use by the company. The company will be responsible for returning the list by July 1st of each year withdrawing the policy forms which are no longer being issued or marketed. Instructions will accompany this listing.
~~5) Accident and health policy forms written on an individual basis, Medicare supplement and long term care policy forms which require premium rate filings may not be withdrawn.~~

i) Each Certificate of Assumption submitted shall include:
1) A letter of submission;
2) The assumption certificate in duplicate;

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3) A typewritten Certificate of Assumption Transmittal, as set forth in Exhibit I of this Part ~~Sheet--in--duplicate,--Exhibit-C,-Illustration-B~~. No later than January 1, 2001 all companies must submit the Certificate of Assumption Transmittal electronically to the Director. Computer generated Certificate of Assumption Transmittals will replace hard copy filings and must meet prescribed specifications set forth by the Director. Prior to January 1, 2001, computer generated Certificate of Assumption Transmittal filings are optional. An assumption certificate will not be approved until the assumed policy forms are listed on the required transmittal ~~sheet~~. In instances where ~~a-company--merges with-another,-or-where~~ a company assumes a block of business from another, the filing identification number is prefixed with the FEIN of the ceded company followed by a dash. Instructions for completing the Certificate of Assumption Transmittal ~~Sheet~~ are contained ~~found~~ in Exhibit I of this Part ~~C,-Illustration-B~~.

j) Each Informational Filing shall include:

1) A letter of submission;

2) The informational material to be filed in duplicate;

3) A typewritten Informational Transmittal, as set forth in Exhibit J of this Part ~~Sheet-in-duplicate~~. No later than January 1, 2001 all companies must electronically submit the Informational Transmittal to the Director. Computer generated Informational Transmittals will replace hard copy filings and must meet prescribed specifications set forth by the Director. Prior to January 1, 2001, computer generated Informational Transmittal filings are optional. Instructions for completing the Informational Transmittal ~~Sheet~~ are contained ~~found~~ in Exhibit J of this Part ~~C,-Illustration-C~~.

(Source: Amended at 24 Ill. Reg. 3547, effective FEB 18 2000)

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Section 916.EXHIBIT A Certificate of Compliance

Each company shall as of July 1, 1996 and each July 1 thereafter submit a "Certificate of Compliance" in substantially this format.

CERTIFICATION OF COMPLIANCE

_____
(Company Name)

By: _____ Title: _____

~~Certification-of-Compliance~~

~~------(company--name)--------by--------(name)------,--its--------(title)------,~~ does hereby certify that the policy form(s) as identified by either the Departmental listing attached hereto, or those filed by the Company during this fiscal year, do comply:

a) with all provisions of the Illinois Insurance Code applicable to the policy forms; and

b) with 50 Ill. Adm. Code; and does further certify to the best of our knowledge and belief that:

1) the form(s) do not contain any inconsistent, ambiguous or misleading clauses;

2) the form(s) do not contain specifications or conditions that unreasonably or deceptively affect the risk purported to be assumed in the general coverage of the policy form(s);

3) the only variation from the usual provisions of the policy form(s) are clearly marked or otherwise indicated;

4) the policy form language as submitted or approved shall be exactly as they have been or will be offered for issuance or delivery in the State of Illinois as approved by the Director, except for hypothetical data and other appropriate variable material; and

5) the policy form(s) do not contain any provision or clause currently being disapproved by the Director.

In utilizing the procedure for policy form filing and approval set forth in Part 916 (Company Name) hereby expressly agrees and consents to a review, by the Director, to be made at any time, and further hereby expressly agrees and consents to the discontinuance by the company of future use of such approved policy form(s), 30 days from the date of mailing an order of withdrawal issued by the Director pursuant to Section 143(1) of the Illinois Insurance Code. The order shall set forth the reasons why such previously approved policy form(s) are violative of or contrary to the provisions of the Illinois Insurance Code or 50 Ill. Adm. Code. Each company shall have the

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right to request a hearing within that 30 day period. Such request shall be made in writing to the Director. The order of withdrawal shall be stayed and the company shall be given a hearing under the provisions of Section 143(1), 401(c), 401.1, 402(2), 426 and 429 of the Illinois Insurance Code [215 ILCS 5/143(1), 401(c), 401.1, 402(2), 426 and 429] and 50 Ill. Adm. Code 2402 as may be applicable to determine:

a) whether such policy form shall be disapproved, and
b) whether further orders of the Director may be appropriate.

_____
(Company Name)

By: _____
(Signature)

Title: _____ Date: _____

~~(Company Name)~~

By:---

~~Its (Officer Title)~~

(Source: Amended at 24 Ill. Reg. 3547, effective FEB 18 2000)

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Section 916.EXHIBIT B Coding Guide

LIFE

Category

Determine if the policy is a general, individual or group life policy form. With this information, determine the category.

GPL	GENERAL PURPOSE LIFE
GRL	GROUP LIFE
INL	INDIVIDUAL LIFE

Type

The type of policy form determines how the policy form is to be used. Choose the type that best fits the policy form.

Policy Form Type

Is the policy form an application, a policy or certificate?

APP	APPLICATION
CER	CERTIFICATE
COP	COMBINATION POLICY
CPC	COMBINATION POLICY CERTIFICATE
OER	OPTIONAL ENDORSEMENT/RIDER
POC	POLICY/CERTIFICATE
POL	POLICY

Attachment Type

Is the policy form an attachment type? Determine with which policy filing(s) and form(s) this attachment type will be associated.

ASC	ASSUMPTION CERTIFICATE
MIP	MATRIX/INSERT PAGE
RER	REQUIRED ENDORSEMENT RIDER
SCP	SCHEDULE PAGE

Informational Type/No Related Policy Forms Required

What is the information to be submitted?

DSF	DOMESTIC STATE FILING
INP	INFORMATIONAL POLICY
OSA	OTHER STATE APPROVAL
POJ	POLICY JACKET

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RIM REQUIRED INFORMATIONAL MATERIAL

Informational Type/Related Forms Required

What is the type of information to be submitted? If the informational type requires related forms, the filing and form number of the related policy form must be listed on the informational transmittal sheet.

CAL	CALCULATIONS
CLI	CERTIFICATION OF LIFE ILLUSTRATIONS (50 ILL. ADM. CODE 1406)
DGI	DISCRETIONARY GROUP INFORMATION
OOC	OUTLINE OF COVERAGE
POJ	POLICY JACKET
RAT	RATE
RIM	REQUIRED INFORMATIONAL MATERIAL
ULI	UNIVERSAL LIFE INFORMATION
VAA	VARIABLE ACCOUNT ADVERTISING
VAM	VARIABLE MATERIAL

Code

Choose the code that best identifies the policy form. Two codes may be used per policy form. Therefore, choose either one code or two codes which summarize the general terms of the policy form.

ACD	ACCIDENTAL DEATH
ADD	ACCIDENTAL DEATH AND DISMEMBERMENT
CIB	CHILDRENS INSURANCE BENEFIT
CON	CONVERSION
DII	DISABILITY INCOME
END	ENDOWMENT
EXC	EXCLUSION
FIB	FAMILY INSURANCE BENEFIT
GUI	GUARANTEED INSURABILITY
INL	INDUSTRIAL LIFE
JTL	JOINT TERM LIFE
JWL	JOINT WHOLE LIFE
LAS	LAST SURVIVOR
LEE	LEGAL EXPENSE
LTP	LONG TERM (PARTNERSHIP)
LTT	LONG TERM (TRADITIONAL)
MFA	MARKET FUNDING AGREEMENT
MOI	MORTGAGE INSURANCE
PAW	PAYOR WAIVER
SIB	SPOUSE INSURANCE BENEFIT
SPD	SPECIFIED DISEASE
SUB	SUPPLEMENTAL BENEFIT
TEI	TERMINAL ILLNESS

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TEL	TERM LIFE
UNI	UNISEX
UNL	UNIVERSAL LIFE
VAL	VARIABLE LIFE
VUL	VARIABLE UNIVERSAL LIFE
WHL	WHOLE LIFE
WOP	WAIVER OF PREMIUM

Subcode

The purpose of the subcode is to describe the code in more detail, and/or the type of policy being issued, i.e., Discretionary Group, Association, M.E.T., etc. Three subcodes are allowed for each policy form. If a subcode does not apply, it is not required.

ADB	ACCELERATED DEATH BENEFIT
ASS	ASSOCIATION
DEB	DECREASING BENEFIT
DEP	DECREASING PREMIUM
DIG	DISCRETIONARY GROUP
DUB	DUAL BENEFIT
EII	EXTERNAL INTEREST INDEX
FIP	FIXED PREMIUM
FLP	FLEXIBLE PREMIUM
FRA	FRANCHISE
HPG	HEALTHCARE PURCHASING GROUP
IDP	INDETERMINATE PREMIUM
INB	INCREASING BENEFIT
INP	INCREASING PREMIUM
LEB	LEVEL BENEFIT
MET	M.E.T.
MOP	MODIFIED PREMIUM
NOR	NONRENEWABLE
OPB	OPTIONAL BENEFIT
PFB	PREARRANGED FUNERAL BENEFIT
REN	RENEWABLE
SCB	SINGLE CASE BASIS
SIP	SINGLE PREMIUM
TAQ	TAX QUALIFIED
TME	TRUST/M.E.W.A.

ANNUITIES

Category

Determine if the policy form is an individual or group policy form. With this information, determine the category.

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GRA	GROUP ANNUITY
INA	INDIVIDUAL ANNUITY
GPN	GENERAL PURPOSE ANNUITY

Type

The type of policy form determines how the policy form is to be used. Choose the type that best fits the policy form.

Policy Form Type

Is the policy form an application, a policy or certificate?

APP	APPLICATION
CER	CERTIFICATE
OER	OPTIONAL ENDORSEMENT/RIDER
POC	POLICY/CERTIFICATE
POL	POLICY

Attachment Type

Is the policy form an attachment type? Determine with which policy filing(s) and form(s) this attachment type will be associated.

ASC	ASSUMPTION CERTIFICATE
MIP	MATRIX/INSERT PAGE
RER	REQUIRED ENDORSEMENT RIDER
SCP	SCHEDULE PAGE

Informational Type/No Related Policy Forms Required

What is the type of information to be submitted?

DSF	DOMESTIC STATE FILING
INP	INFORMATIONAL POLICY
OSA	OTHER STATE APPROVAL
POJ	POLICY JACKET
VAA	VARIABLE ACCOUNT ADVERTISING

Informational Type/Related Policy Forms Required

What is the type of information to be submitted? If the informational type requires related forms, the filing and form number of the related policy form must be listed on the informational transmittal sheet.

VAM	VARIABLE MATERIAL

Code

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Choose the code that best identifies the policy form filing. Two codes may be used per policy form. Therefore, choose either one code or two codes which summarize the general terms of the policy form.

FIP	FIXED PREMIUM
FLP	FLEXIBLE PREMIUM
MFA	MARKET FUNDING AGREEMENT
SIP	SINGLE PREMIUM
SUB	SUPPLEMENTAL BENEFIT

Subcode

The purpose of the subcode is to describe the code in more detail. Three subcodes are allowed for each policy form filing. If a subcode does not apply, it is not required.

DEF	DEFERRED
DII	DUAL INTEREST INDEXED
EII	EXTERNAL INTEREST INDEXED
IMM	IMMEDIATE
INS	INTEREST SENSITIVE
SCB	SINGLE CASE BASIS
VAR	VARIABLE

CREDIT

Category

First, determine if the policy form is an individual or group policy form. Second, determine if the policy form is a credit accident and health or credit life policy form. With this information, determine the category.

GCA	GROUP CREDIT ACCIDENT AND HEALTH
GCL	GROUP CREDIT LIFE
ICL	INDIVIDUAL CREDIT LIFE
ICA	INDIVIDUAL CREDIT ACCIDENT AND HEALTH

Type

The type of policy form determines how the policy form is to be used. Choose the type that best fits the policy form.

Policy Form Type

Is the policy form an application, a policy or certificate?

APP	APPLICATION
CER	CERTIFICATE

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COP	COMBINATION POLICY
CPC	COMBINATION POLICY CERTIFICATE
OER	OPTIONAL ENDORSEMENT/RIDER
POC	POLICY/CERTIFICATE
POL	POLICY

Attachment Type

Is the policy form an attachment type? Determine with which policy filing(s) and form(s) this attachment type will be associated.

ASC	ASSUMPTION CERTIFICATE
MIP	MATRIX/INSERT PAGE
RER	REQUIRED ENDORSEMENT/RIDER
SCP	SCHEDULE PAGE

Informational Type/No Related Policy Forms Required

What is the type of information to be submitted?

DSF	DOMESTIC STATE FILING
INP	INFORMATIONAL POLICY
OSA	OTHER STATE APPROVAL
POJ	POLICY JACKET
RIM	REQUIRED INFORMATIONAL APPROVAL

Informational Type/Related Policy Forms Required

What is the type of information to be submitted? If the informational type requires related forms, the filing and form number of the related policy form must be listed on the informational transmittal sheet.

CAL	CALCULATIONS
RAT	RATE
RIM	REQUIRED INFORMATIONAL MATERIAL
VAM	VARIABLE MATERIAL

Code

Choose the code that best identifies the policy form. Two codes may be used per policy form. Therefore, choose either one code or two codes which summarize the general terms of the policy form.

DEB	DECREASING BENEFIT
LEB	LEVEL BENEFIT
MOB	MONTHLY OUTSTANDING BENEFIT
SUB	SUPPLEMENTAL BENEFIT

Subcode

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The purpose of the subcode is to describe the code in more detail. Three subcodes are allowed for each policy form. If a subcode does not apply, it is not required.

CPB	CRITICAL PERIOD BENEFIT
LEP	LEVEL PREMIUM
MOP	MONTHLY OUTSTANDING PREMIUM
NOB	NONSTANDARD BENEFIT
SIP	SINGLE PREMIUM
TRB	TRUNCATED BENEFIT

ACCIDENT AND HEALTH

Category

Determine if the policy form is general purpose, individual or group. With this information, determine the category.

GAH	GROUP A&H
GPA	GENERAL PURPOSE A&H
IAH	INDIVIDUAL A&H

Type

The type of policy form determines how the policy form is to be used. Choose the type that best fits the policy form.

Policy Form Type

Is the policy form an application, a policy or certificate?

APP	APPLICATION
CER	CERTIFICATE
COP	COMBINATION POLICY
CPC	COMBINATION POLICY CERTIFICATE
OER	OPTIONAL ENDORSEMENT/RIDER
POC	POLICY/CERTIFICATE
POL	POLICY

Attachment Type

Is the policy form an attachment type? Determine with which policy filing(s) and form(s) this attachment type will be associated.

ASC	ASSUMPTION CERTIFICATE
MIP	MATRIX/INSERT PAGE
RER	REQUIRED ENDORSEMENT/RIDER
SCP	SCHEDULE PAGE

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Informational Type/No Related Policy Forms Required

What is the type of information to be submitted?

ADV	ADVERTISING
DSF	DOMESTIC STATE FILING
IEP	INFORMATIONAL EXCESS POLICY
INP	INFORMATIONAL POLICY
NET	NETWORK
OSA	OTHER STATE APPROVAL
POJ	POLICY JACKET
RIM	REQUIRED INFORMATIONAL MATERIAL

Informational Type/Related Policy Forms Required

What is the type of information to be submitted? If the informational type requires related forms, the filing and form number of the related policy form must be listed on the informational transmittal sheet.

ADV	ADVERTISING
CAL	CALCULATIONS
DGI	DISCRETIONARY GROUP INFORMATION
NET	NETWORK
OOC	OUTLINE OF COVERAGE
RAT	RATE
VAM	VARIABLE MATERIAL
RIM	REQUIRED INFORMATIONAL MATERIAL

Code

Choose the code that best identifies the policy form. Two codes may be used per policy form. Therefore, choose either one code or two codes which summarize the general terms of the policy form.

ACO	ACCIDENT ONLY
ADD	ACCIDENTAL DEATH AND DISMEMBERMENT
AMC	AMBULANCE COVERAGE
BLA	BLANKET
CAN	CANCER
COM	COMPREHENSIVE MEDICAL
CON	CONVERSION
CUS	CUSTODIAL
DEN	DENTAL
DII	DISABILITY INCOME
EXC	EXCLUSION
EXE	EXCESS
HDF	HIGH DEDUCTIBLE MED. SUPP. - PLAN F
HDJ	HIGH DEDUCTIBLE MED. SUPP - PLAN J

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HHC	HOME HEALTH CARE
HOI	HOSPITAL INDEMNITY
HSM	HOSPITAL/SURGICAL MEDICAL
LEE	LEGAL EXPENSE
LTP	LONG TERM (PARTNERSHIP)
LTT	LONG TERM (TRADITIONAL)
MAM	MAJOR MEDICAL
MAT	MATERNITY
MES	MEDICARE SUPPLEMENT
MSA	MEDICARE SUPPLEMENT - PLAN A
MSB	MEDICARE SUPPLEMENT - PLAN B
MSC	MEDICARE SUPPLEMENT - PLAN C
MSD	MEDICARE SUPPLEMENT - PLAN D
MSE	MEDICARE SUPPLEMENT - PLAN E
MSF	MEDICARE SUPPLEMENT - PLAN F
MSG	MEDICARE SUPPLEMENT - PLAN G
MSH	MEDICARE SUPPLEMENT - PLAN H
MSI	MEDICARE SUPPLEMENT - PLAN I
MSJ	MEDICARE SUPPLEMENT - PLAN J
MOI	MORTGAGE INSURANCE
NHC	NURSING HOME CARE
PHC	PHARMACEUTICAL COVERAGE
SCS	SCHOOL COVERAGE/STUDENTS
SNF	SKILLED NURSING FACILITY
SPD	SPECIFIED DISEASE
STL	STOP LOSS
SUB	SUPPLEMENTAL BENEFIT
TRA	TRAVEL ACCIDENT
VIC	VISION COVERAGE
WOP	WAIVER OF PREMIUM

Subcode

The purpose of the subcode is to describe the code in more detail, and/or the type of policy being issued, i.e., Discretionary Group, Association, M.E.T., etc. Three subcodes are allowed for each policy form. If a subcode does not apply, it is not required.

ASS	ASSOCIATION
COP	COMPOSITE PREMIUM
DIG	DISCRETIONARY GROUP
DUO	DUAL OPTION
FRA	FRANCHISES
GUR	GUARANTEED RENEWABLE
HGR	HIPAA GUARANTEED RENEWABLE (INDIVIDUAL)
HLP	HIPAA LARGE PORTABLE
HSP	HIPAA SMALL PORTABLE
HTQ	HIPPAA TAX QUALIFIED (TRADITIONAL

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	LONG-TERM CARE)
LIB	LIMITED BENEFIT
MED	MEDICAL SAVINGS ACCOUNT
MET	M.E.T.
MOP	MONTHLY PREMIUM
NON	NONCANCELLABLE
NTQ	NONTAX QUALIFIED (TRADITIONAL LONG-TERM CARE)
OPR	OPTIONALLY RENEWABLE
POS	POINT OF SERVICE
PPA	PREFERRED PROVIDER ARRANGEMENT
SBG	~~SMALL EMPLOYER GROUP {215 ILCS 5/351B 1 ET SEQ.}~~
SEP	~~SMALL EMPLOYER PORTABLE {215 ILCS 95/1 ET SEQ.}~~
SCB	SINGLE CASE BASIS
TEP	TERM PREMIUM
TME	TRUST/M.E.W.A.

SERVICE ORGANIZATIONS

Category

First, determine if the policy form is an individual or group policy form. Second, determine whether the submission is being made by a service organization, a health maintenance organization, or a limited health service organization. With this information, determine the category.

GHM	GROUP HEALTH MAINTENANCE ORGANIZATION
GLH	GROUP LIMITED HEALTH SERVICE ORGANIZATION
GPH	GENERAL PURPOSE HEALTH MAINTENANCE ORGANIZATION
GPl	GENERAL PURPOSE LIMITED HEALTH SERVICE ORGANIZATION
GPS	GENERAL PURPOSE SERVICE ORGANIZATION
GSO	GROUP SERVICE ORGANIZATION
IHM	INDIVIDUAL HEALTH MAINTENANCE ORGANIZATION
ILH	INDIVIDUAL LIMITED HEALTH SERVICE ORGANIZATION
ISO	INDIVIDUAL SERVICE ORGANIZATION

Type

The type of policy form determines how the policy form is to be used. Choose the type that best fits the policy form.

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Policy Form Type

Is the policy form an application, a policy or certificate?

APP	APPLICATION
CER	CERTIFICATE
IDC	IDENTIFICATION CARD
MEH	MEMBER HANDBOOK
OER	OPTIONAL ENDORSEMENT/RIDER
POC	POLICY/CERTIFICATE
POL	POLICY
~~OER~~	~~OPTIONAL ENDORSEMENT/RIDER~~

Attachment Type

Is the policy form an attachment type? Determine with which policy filing(s) and form(s) this attachment type will be associated.

ASC	ASSUMPTION CERTIFICATE
MIP	MATRIX/INSERT PAGE
RER	REQUIRED ENDORSEMENT/RIDER
SCP	SCHEDULE PAGE

Informational Type/No Related Policy Forms Required

What is the type of information to be submitted?

ADV	ADVERTISING
ASO	ADMINISTRATIVE SERVICE ONLY
FBB	FEDERAL BENEFIT BROCHURE
GRP	GRIEVANCE PROCEDURES
MIM	MEDICARE INFORMATIONAL MATERIAL
NET	NETWORK
POJ	POLICY JACKET
RIM	REQUIRED INFORMATIONAL MATERIAL

Informational Type/Related Policy Forms Required

What is the type of information to be submitted? If the informational type requires related forms, the filing and form number of the related policy form must be listed on the informational transmittal **sheet.**

NET	NETWORK
RAT	RATE
RIM	REQUIRED INFORMATIONAL MATERIAL
VAM	VARIABLE MATERIAL

Code

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Choose the code that best identifies the policy form. Two codes may be used per policy form. Therefore, choose either one code or two codes which summarize the general terms of the policy form filing.

AMC	AMBULANCE COVERAGE
BHC	BASIC HEALTH COVERAGE
BOP	BASIC OUTPATIENT PREVENTIVE (CHILDREN)
CLL	CLINICAL LABORATORY
CON	CONVERSION
DEN	DENTAL
EXC	EXCLUSION
HDF	HIGH DEDUCTIBLE MED. SUPP - PLAN F
HDJ	HIGH DEDUCTIBLE MED. SUPP - PLAN J
MEB	~~MEDICARE~~
MES	MEDICARE SUPPLEMENT
MSA	MEDICARE SUPPLEMENT - PLAN A
MSB	MEDICARE SUPPLEMENT - PLAN B
MSC	MEDICARE SUPPLEMENT - PLAN C
MSD	MEDICARE SUPPLEMENT - PLAN D
MSE	MEDICARE SUPPLEMENT - PLAN E
MSF	MEDICARE SUPPLEMENT - PLAN F
MSG	MEDICARE SUPPLEMENT - PLAN G
MSH	MEDICARE SUPPLEMENT - PLAN H
MSI	MEDICARE SUPPLEMENT - PLAN I
MSJ	MEDICARE SUPPLEMENT - PLAN J
PHC	PHARMACEUTICAL COVERAGE
POC	PODIATRIC COVERAGE
SUB	SUPPLEMENTAL BENEFIT
VIC	VISION COVERAGE

Subcode

The purpose of the subcode is to describe the code in more detail, and/or the type of policy being issued, i.e., Discretionary Group, Association, M.E.T., etc. Three subcodes are allowed for each policy form. If a subcode does not apply, it is not required.

ASS	ASSOCIATION
CMP	COMPETITIVE MARKETING PLAN
COC	COST CONTRACT
DIG	DISCRETIONARY GROUP
DUO	DUAL OPTION
HCP	HEALTH CARE PREPAYMENT PLAN
HGR	HIPAA GUARANTEED RENEWABLE (INDIVIDUAL)
HLP	HIPAA LARGE PORTABLE
HSP	HIPAA SMALL PORTABLE
KID	KIDCARE
MET	M.E.T.

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PAB	PUBLIC AID BENEFITS
POS	POINT OF SERVICE
PPA	PREFERRED PROVIDER ARRANGEMENT
RIC	RISK CONTRACT
SEP	~~SMALL EMPLOYER PORTABLE (215 ILCS 95/1-EP-SEQ)~~
SCB	SINGLE CASE BASIS
SOI	STATE OF ILLINOIS
TME	TRUST/M.E.W.A.

(Source: Amended at 24 Ill. Reg. ~~3547~~ 3547, effective FEB 18 2000)

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Section 916.EXHIBIT C Discontinued Acronyms From Exhibit B Coding Guide ~~General Transmittal Instructions and Transmittal Sheet~~

The following acronyms have been deleted from the Coding Guide found in Exhibit B of this Part. These abbreviations can no longer be used for new policy form filings. However, they may still appear on your annual listing of previously approved policy forms as noted in Section 916.40(h)(4) of this Part.

Category

SEO SERVICE ORGANIZATION
LHS LIMITED HEALTH SERVICE ORGANIZATION

Code

MED MEDICARE

Subcode

SEG SMALL EMPLOYER GROUP
[215 ILCS 5/351B-1 ET SEQ.]

SEP SMALL EMPLOYER PORTABLE
[215 ILCS 95/1]

~~The information provided on the general transmittal must be typewritten.~~

~~1) Company Name.~~
~~2) Company Contact Person Mailing Address.~~
~~3) Company FEIN Federal Employer Identification Number.~~
~~4) Company Filing Number Number used to distinguish this policy form filing from any other policy form filing submitted to the Department for approval or withdrawal. This number is limited to 15 characters. Do not use blank spaces in filing numbers. Blank spaces will be ignored. When withdrawing a pending filing from further consideration, the Company Filing Number for the withdrawal filing shall be the same as the Company Filing Number assigned when the filing was originally submitted.~~
~~5) Company Contact Person The individual's name who is most familiar with this form filing.~~
~~6) Contact Person Phone Number Telephone number of Contact Person.~~
~~7) Electronic Mail Identification Number where available.~~
~~8) Submittal Date Date filing is sent to Department.~~
~~9) New Policy Forms~~
~~A) SEQ #Sequence number is used to facilitate future retrieval of microfilmed forms at the Department. This number identifies the physical placement of a form within a filing. The sequence number shall follow the physical order of forms within a filing.~~
~~B) New Policy Form #Identification in the lower left hand corner of policy form being submitted. This number is limited to 30 characters. Do no use blank spaces when identifying a policy form. Blank spaces will be ignored.~~
~~C) Category The classification of the policy form taken from the Coding Guide (Exhibit B of this Part). Note that every form in the filing must be for the same category. Category GPB, GPA and GPN apply only to applications and endorsements.~~
~~D) Type The characteristic abbreviation of the policy form taken from the Coding Guide (Exhibit B of this Part). Note: For purposes of completing this transmittal sheet, an optional endorsement/rider (Type OER) is considered a policy form.~~
~~E) Code The descriptive abbreviation of the policy form taken from the Coding Guide (Exhibit B of this Part). Choose one or two codes which best fit the general terms of your policy form filing. If a code does not apply, leave the space blank.~~
~~F) Subcode A more detailed descriptive abbreviation of the policy form taken from the Coding Guide (Exhibit B of this Part) (if only one subcode applies, then leave the other spaces blank; if a subcode does not apply, leave the space blank).~~
~~G) P/N Indicate if the policy form is Participating or Non Participating by placing a P or an N in the blank. If the term is not applicable, leave the space blank.~~
~~Note: When submitting more policy forms than the transmittal sheet will allow, continue completing the same section on an additional form, including the information in items one through eight and the appropriate page number.~~
~~10) New Attachments (Type RER) Required Endorsement/Rider, (Type MIP) Matrix/Insert Page, (Type SCP) Schedule Page) to be added to every Policy Form listed in Section 9 and/or Section 11. A Required Endorsement/Rider is one which is required by statute or Administrative Code and shall be attached to the policy as a condition for approval or to incorporate new contract provisions. If the attachments do not associate to all policy forms listed in Section 9 and/or Section 11, those attachments shall be submitted on a separate transmittal sheet.~~
~~A) SEQ #Sequence number is used to facilitate future retrieval of forms by this Department. This number identifies the physical placement of a form within a filing. The sequence number shall follow the physical order of forms within a filing.~~
~~B) New Attachment Form #Identification in the lower left hand corner of policy form being submitted. This~~

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~~of forms within a filing.~~
~~B) New Policy Form #Identification in the lower left hand corner of policy form being submitted. This number is limited to 30 characters. Do no use blank spaces when identifying a policy form. Blank spaces will be ignored.~~
~~C) Category The classification of the policy form taken from the Coding Guide (Exhibit B of this Part). Note that every form in the filing must be for the same category. Category GPB, GPA and GPN apply only to applications and endorsements.~~
~~D) Type The characteristic abbreviation of the policy form taken from the Coding Guide (Exhibit B of this Part). Note: For purposes of completing this transmittal sheet, an optional endorsement/rider (Type OER) is considered a policy form.~~
~~E) Code The descriptive abbreviation of the policy form taken from the Coding Guide (Exhibit B of this Part). Choose one or two codes which best fit the general terms of your policy form filing. If a code does not apply, leave the space blank.~~
~~F) Subcode A more detailed descriptive abbreviation of the policy form taken from the Coding Guide (Exhibit B of this Part) (if only one subcode applies, then leave the other spaces blank; if a subcode does not apply, leave the space blank).~~
~~G) P/N Indicate if the policy form is Participating or Non Participating by placing a P or an N in the blank. If the term is not applicable, leave the space blank.~~
~~Note: When submitting more policy forms than the transmittal sheet will allow, continue completing the same section on an additional form, including the information in items one through eight and the appropriate page number.~~
~~10) New Attachments (Type RER) Required Endorsement/Rider, (Type MIP) Matrix/Insert Page, (Type SCP) Schedule Page) to be added to every Policy Form listed in Section 9 and/or Section 11. A Required Endorsement/Rider is one which is required by statute or Administrative Code and shall be attached to the policy as a condition for approval or to incorporate new contract provisions. If the attachments do not associate to all policy forms listed in Section 9 and/or Section 11, those attachments shall be submitted on a separate transmittal sheet.~~
~~A) SEQ #Sequence number is used to facilitate future retrieval of forms by this Department. This number identifies the physical placement of a form within a filing. The sequence number shall follow the physical order of forms within a filing.~~
~~B) New Attachment Form #Identification in the lower left hand corner of policy form being submitted. This~~

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~~number is limited to 30 characters. Do not use blank spaces when identifying a policy form.~~

~~C) Category - The classification of the policy form taken from the Coding Guide (Exhibit B of this Part).~~

~~D) Type - The characteristic abbreviation of the policy form taken from the Coding Guide (Exhibit B of this Part).~~

~~E) Code - The descriptive abbreviation of the policy form taken from the Coding Guide (Exhibit B of this Part). Choose one or two codes which best fit the general terms of your policy form filing. If a code does not apply, leave the space blank.~~

~~F) Subcode - A more detailed descriptive abbreviation of the policy form taken from the Coding Guide (Exhibit B of this Part) (if only one subcode applies, then leave the other spaces blank; if a subcode does not apply, leave the space blank).~~

~~Note: When submitting more policy forms than the transmittal sheet will allow, continue completing the same section on an additional form, including the information in items one through eight and the appropriate page number.~~

~~11) Attachments added to previously approved Policy Form.~~

~~A) Previously Approved Filing # - If the attachment in Section 10 (Type MIP), (Type RER) or (Type SCP) is to be added to a previously approved policy form, list the original filing number of that policy form filing here.~~

~~Note: If forms are acquired through a merger or assumption certificate, use the original filing number prefixed with the FEIN of the original company followed by a dash.~~

~~B) Previously Approved Policy Form # - Identification of the previously approved policy form shall be listed here.~~

~~Note: When submitting more policy forms than the transmittal sheet will allow, continue completing the same section on an additional form, including the information in items one through eight and the appropriate page number.~~

~~12) Previously Approved Attachments - IF these attachments will be issued with the new policy form listed in Section 9, list here. These attachments include required endorsements (Type RER) or matrix/insert pages (Type MIP) or schedule pages (Type SCP).~~

~~A) Previously Approved Attachment Filing # - The original filing number of the policy form to be maintained as an attachment.~~

~~B) Previously Approved Attachment Form # - Identification for the policy form to be maintained as an attachment to the policy listed in Section 9.~~

~~Note: When submitting more policy forms than the transmittal sheet will allow, continue completing the same section on an additional form, including the information in items one through eight and the appropriate page number.~~

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(Source: Amended at 24 Ill. Reg. 3547, effective FEB 18 2000)

Section 916.EXHIBIT G General Transmittal Instructions and Transmittal

The information provided on the general transmittal must be typewritten.

1) Company Name.
2) Company Contact Person Mailing Address.
c/o - Name of outside firm responsible for filing.
3) Company FEIN - Federal Employer Identification Number.
4)
A) Company Filing Number - Number used to distinguish this policy form filing from any other policy form filing submitted to the Department for approval or withdrawal. This number is limited to 15 characters. Do not use blank spaces in filing numbers. When withdrawing a pending filing from further consideration, the company filing number for the withdrawal filing shall be the same as the company filing number assigned when the filing was originally submitted. Blank spaces will be ignored.
B) Filing Category - The classification of the policy form filing taken from the Coding Guide (Exhibit B of this Part). Note that every form in the filing must be for the same category. Category GPL, GPN, GPA, GPH, GPI and GPS apply only to applications and endorsements.
5) Company Contact Person - The individual's name who is most familiar with this form filing.
6) Contact Person Phone Number - Telephone number of Contact Person.
7) Electronic Mail Identification Number where available.
8) Submittal Date - Date filing is sent to Department.
9) New Policy Forms
A) SEQ # - Sequence number is used to facilitate future retrieval of microfilmed forms at the Department. This number identifies the physical placement of a form within a filing. The sequence number shall follow the physical order of forms within a filing.
B) New Policy Form # - Identification in the lower left hand corner of policy form being submitted. This number is limited to 30 characters. Do not use blank spaces when identifying a policy form. Blank spaces will be ignored.
C) Type - The characteristic abbreviation of the policy form taken from the Coding Guide (Exhibit B of this Part). Note: For purposes of completing this transmittal, an optional endorsement/rider (Type OER) is considered a policy form.
D) Code - The descriptive abbreviation of the policy form taken from the Coding Guide (Exhibit B of this Part). Choose one or two codes which best fit the general terms of your policy form filing. If a code does not apply, leave the space blank.
E) Subcode - A more detailed descriptive abbreviation of the policy form taken from the Coding Guide (Exhibit B of this

Part) (if only one subcode applies, then leave the other spaces blank; if a subcode does not apply, leave the space blank).
F) P/N - Indicate if the policy form is Participating or Non-Participating by placing a P or an N in the blank. If the term is not applicable, leave the space blank.
Note: Prior to January 1, 2001, when submitting more policy forms than the transmittal will allow, continue completing the same section on an additional form, including the information in items one through eight and the appropriate page number. As of January 1, 2001, the electronic process will allow any number of policy forms to be reported per Section.
10) New Attachments ((Type RER) Required Endorsement/Rider, (Type MIP) Matrix/Insert Page, (Type SCP) Schedule Page) to be added to every Policy Form listed in Section 9 and/or Section 11. A Required Endorsement/Rider is one which is required by statute or Administrative Code and shall be attached to the policy as a condition for approval or to incorporate new contract provisions. If the attachments do not associate to all policy forms listed in Section 9 and/or 11, those attachments shall be submitted on a separate transmittal.
A) SEQ # - Sequence number is used to facilitate future retrieval of forms by this Department. This number identifies the physical placement of a form within a filing. The sequence number shall follow the physical order of forms within a filing.
B) New Attachment Form # - Identification in the lower left-hand corner of policy form being submitted. This number is limited to 30 characters. Do not use blank spaces when identifying a policy form.
C) Type - The characteristic abbreviation of the policy form taken from the Coding Guide (Exhibit B of this Part).
D) Code - The descriptive abbreviation of the policy form taken from the Coding Guide (Exhibit B of this Part). Choose one or two codes which best fit the general terms of your policy form filing. If a code does not apply, leave the space blank.
E) Subcode - A more detailed descriptive abbreviation of the policy form taken from the Coding Guide (Exhibit B of this Part) (if only one subcode applies, then leave the other spaces blank; if a subcode does not apply, leave the space blank).
Note: Prior to January 1, 2001, when submitting more policy forms than the transmittal will allow, continue completing the same section on an additional form, including the information in items one through eight and the appropriate page number. As of January 1, 2001, the electronic process

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will allow any number of policy forms to be reported per Section.

11) Attachments added to previously approved Policy Form.

A) Previously Approved Filing # - If the attachment in Section 10 (Type MIP), (Type RER) or (Type SCP) is to be added to a previously approved policy form, list the original filing number of that policy form filing here.
Note: If forms are acquired through a merger or assumption certificate, use the original filing number prefixed with the FEIN of the original company followed by a dash.

B) Previously Approved Policy Form # - Identification of the previously approved policy form shall be listed here.
Note: When submitting more policy forms than the transmittal will allow, continue completing the same section on an additional form, including the information in items one through eight and the appropriate page number.

12) Previously Approved Attachments - If these attachments will be issued with the new policy form listed in Section 9, list here. These attachments include required endorsements (Type RER) or matrix/insert pages (Type MIP) or schedule pages (Type SCP).

A) Previously Approved Attachment Filing # - The original filing number of the policy form to be maintained as an attachment.

B) Previously Approved Attachment Form # - Identification for the policy form to be maintained as an attachment to the policy listed in Section 9.
Note: Prior to January 1, 2001, when submitting more policy forms than the transmittal will allow, continue completing the same section on an additional form, including the information in items one through eight and the appropriate page number. As of January 1, 2001, the electronic process will allow any number of policy forms to be reported per Section.

13) Previously Accepted Informational Filing - If a previously accepted informational filing is to be related to the new policy forms in Section 9 and/or Section 10, list that Informational filing number here.

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GENERAL TRANSMITTAL SHEET Page ___ of ___

1) COMPANY NAME
2) COMPANY CONTACT PERSON MAILING ADDRESS
C/O
STREET
CITY STATE ZIP
3) COMPANY FEIN
4A) COMPANY FILING NUMBER
B) FILING CATEGORY
5) COMPANY CONTACT PERSON
6) CONTACT PERSON PHONE NUMBER
7) ELECTRONIC MAIL ID #
8) SUBMITTAL DATE
9) NEW POLICY FORMS

-For Department Use Only-

(A) ~~(a)~~ SEQ #	(B) ~~(b)~~ NEW POLICY FORM #	~~(c)~~ CAT	(C) ~~(d)~~ TYPE	(D) ~~(e)~~ CODE	(E) ~~(f)~~ SUB-CODE	(F) ~~(g)~~ P/N

10) NEW ATTACHMENTS (Required Endorsement/Rider (Type RER), Matrix/Insert Page (Type MIP), Schedule Page (Type SCP)) to be added to every Policy Form listed in Section 9 and/or Section 11. A Required Endorsement/Rider is one which is required by statute or shall be attached to the policy as a condition for approval or to incorporate new contract provisions

(A) ~~(a)~~ SEQ #	(B) ~~(b)~~ NEW ATTACHMENT FORM #	~~(c)~~ CAT	(C) ~~(d)~~ TYPE	(D) ~~(e)~~ CODE	(E) ~~(f)~~ SUB-CODE

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Company FEIN _____ Page ___ of ___

Company Filing Number _____

11) PREVIOUSLY APPROVED POLICY FORMS. If the new attachments (Type MIP), (Type RER), (Type SCP) in Section 10 are to be added to a previously approved Policy Form, list below

(A) ~~(a)~~ PREVIOUSLY APPROVED FILING #	(B) ~~(b)~~ PREVIOUSLY APPROVED POLICY FORM #

12) PREVIOUSLY APPROVED ATTACHMENTS. If a previously approved attachment is to be used with a new Policy Form listed in Section 9, list these attachments below

(A) ~~(a)~~ PREVIOUSLY APP'D ATTACHMENT FILING #	(B) ~~(b)~~ PREVIOUSLY APPROVED ATTACHMENT FORM #

13) PREVIOUSLY ACCEPTED INFORMATIONAL FILING. If a previously accepted informational filing is to be related to the new Policy Forms in Sections 9 and/or 10, list filing number here

FILING #

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(Source: Added FEB 18 2000 at 24 Ill. Reg. 3547, effective _____)

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Section 916.EXHIBIT H ~~ILLUSTRATION~~--A Replacement/Withdrawal Transmittal Instructions and Transmittal ~~Sheet~~

The information provided on the replacement/withdrawal transmittal must be typewritten.

1) Company Name.
2) Company Contact Person Mailing Address.
c/o - Name of outside firm responsible for filing.
3) Company FEIN - Federal Employer Identification Number.
4) Company Filing Number - Number used to distinguish this policy form withdrawal filing from any other policy form withdrawal filing submitted to Illinois. This number is limited to 15 characters. Do not use blank spaces in filing numbers. Blank spaces will be ignored.
5) Company Contact Person - The individual's name who is most familiar with this filing.
6) Contact Person Phone Number - Telephone number of Contact Person.
7) Electronic Mail Identification Number where available.
8) Submittal Date - Date Replacement/Withdrawal is sent to Department.
9) A withdrawn form is considered to be a previously approved form which will no longer be issued in the State of Illinois, or a policy form which has been substituted.
   A) Company Filing # - The number identifying the filing to be withdrawn when originally submitted. Do not use blank spaces in filing numbers.
   B) Policy Form # - The Identification of the policy form you wish withdrawn. Do not use blank spaces when identifying policy numbers.

   Note: The effective date of withdrawal is the date this request is processed at the Department.

   Note: Prior to January 1, 2001, when ~~When~~ submitting more policy forms than the transmittal ~~sheet~~ will allow, continue completing the same section on an additional form, including the information in items one through eight and the appropriate page number. As of January 1, 2001, the electronic process will allow any number of policy forms to be reported per Section.

   Note: For withdrawals without replacement, your company will be required to notify the Department of which policy forms are still in use. Such notification must be made at the end of the fiscal year. Each May listing of approved policy forms on file with the State of Illinois will be provided to your company. Your company will be responsible for withdrawing the policy forms included on this annual listing which you are no longer issuing and for certifying that the remaining policy forms either in use or being

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issued are in compliance by submitting a certificate of compliance found in Exhibit A of this Part.

Page ___ of ___

REPLACEMENT/WITHDRAWAL TRANSMITTAL ~~SHEET~~

-For Department Use Only-

1) COMPANY NAME ______
2) COMPANY CONTACT PERSON MAILING ADDRESS,
C/O ______
STREET ______
CITY ______ STATE ______ ZIP ______
3) COMPANY FEIN ______
4) COMPANY FILING NUMBER ______
5) COMPANY CONTACT PERSON ______
6) CONTACT PERSON PHONE NUMBER ______
7) ELECTRONIC MAIL ID # ______
8) SUBMITTAL DATE ______
9) If you are withdrawing an approved policy form, list below

(A) ~~(a)~~ COMPANY FILING ID #	(B) ~~(b)~~ POLICY FORM #

~~Note: For withdrawals without replacement, your company will be required to notify the Department of which policy forms are still in use. Such notification must be made at the end of the fiscal year. Each May a listing of approved policy forms on file with the State of Illinois will be provided to your company. Your company will be responsible for withdrawing the policy forms included on this annual listing, which you are no longer issuing, and for certifying that the remaining policy forms either in use or being issued are in compliance by submitting a Certificate of Compliance found in Part 916, Exhibit A (50 Ill. Adm. Code 916).~~

~~Note: The effective date of withdrawal is the date this request is processed at the Department of Insurance.~~

~~Note: When submitting more policy forms than the transmittal sheet will allow for, continue completing the same section on an additional form, including the information in items one through four and the appropriate page number.~~

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(Source: Renumbered from Exhibit C, Illustration A and amended at 24 Ill. Reg. 3547, effective FEB 18 2000)

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Section 916.EXHIBIT I ~~ILLUSTRATION~~--B Certificate of Assumption Transmittal Instructions and Transmittal ~~S~~sheet

The information provided on the assumption transmittal must be typewritten.

1) Assuming Company Name.
2) Assuming Company Contact Person Mailing Address.
   c/o - Name of outside firm responsible for filing.
3) Assuming Company FEIN - Federal Employer Identification Number.
4) Assuming Company Filing Number - Number used to distinguish this policy form filing from any other policy form filing submitted to Illinois for approval. Do not use blank spaces in filing numbers.
5) Assuming Company Contact Person - The individual's name who is most familiar with this filing.
6) Contact Person Phone Number - Telephone number of Contact Person.
7) Electronic Mail Identification Number where available.
8) Ceding Company Name.
9) Ceding Company FEIN - Federal Employer Identification Number.
10) Submittal Date - Date Assumption Transmittal is sent to the Department.
11) Assumption Certificate
   A) Policy Form # - Identification in the lower left-hand corner of policy form being submitted. Only one Assumption Certificate is allowed per transmittal. Do not use blank spaces when identifying a policy form.
   B) Category - The classification of the policy form taken from the coding guide (Exhibit B of this Part).
   C) Type - The characteristic abbreviation "ASC" taken from the coding guide (Exhibit B of this Part).
12) Previously approved ceding company filing number and policy form # affected by the Assumption Certificate. Do not use blank spaces in filing numbers or when identifying policy forms.
   Note: Assumption certificates will not be approved until the list of assumed policy forms is listed on the required transmittal sheet.
   Note: Prior to January 1, 2001, when When submitting more policy forms than the transmittal ~~s~~sheet will allow, continue completing the same section on an additional form, including the information in items one through ten and the appropriate page number. As of January 1, 2001, the electronic process will allow any number of policy forms to be reported per Section.

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED AMENDMENTS

CERTIFICATE OF ASSUMPTION TRANSMITTAL SHEET Page ___ of ___

1) ASSUMING COMPANY NAME _____
2) ASSUMING COMPANY CONTACT PERSON MAILING ADDRESS
C/O _____
STREET _____
CITY _____ STATE ____ ZIP _____
3) ASSUMING COMPANY FEIN _____
4) ASSUMING COMPANY FILING NUMBER _____
5) ASSUMING COMPANY CONTACT PERSON _____
6) CONTACT PERSON PHONE NUMBER _____
7) ELECTRONIC MAIL ID # _____
8) CEDING COMPANY NAME _____
9) CEDING COMPANY FEIN _____
10) SUBMITTAL DATE _____
11) ASSUMPTION CERTIFICATE
A) POLICY FORM # _____
B) CAT _____
C) TYPE ASC

(a) POLICY FORM #	(b) CAT	(c) TYPE
		ASC

12) Previously Approved Policy Forms Affected by Assumption Certificate

CEDING COMPANY FILING #	CEDING POLICY FORM #

For Department Use Only

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED AMENDMENTS

(Source: Renumbered from Exhibit C, Illustration B and amended at 24 Ill. Reg. 3547, effective FEB 18 2000)

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED AMENDMENTS

Section 916.EXHIBIT J ~~ILLUSTRATION C~~ Informational Filing Transmittal Instructions and Transmittal ~~Sheet~~

The information provided on the informational transmittal must be typewritten.

1) Company Name.
2) Company Contact Person Mailing Address.
c/o - Name of outside firm responsible for filing.
3) Company FEIN - Federal Employer Identification Number.
4) Informational Filings:
A) Company Filing # - Number used to distinguish this informational filing from any other filing submitted to Illinois for filing. This number is limited to 15 characters. Do not use blank spaces in filing numbers. Blank spaces will be ignored.
B) Category - The classification of the policy form taken from the coding guide (Exhibit B of this Part).
C) Information Type - The characteristic abbreviation of the Informational Type taken from the Coding Guide (Exhibit B of this Part).
5) Company Contact Person - The individual's name who is most familiar with this informational filing.
6) Contact Person Phone Number - Telephone number of Contact Person.
7) Electronic Mail Identification Number where available.
8) Submittal Date - Date Informational Transmittal is sent to the Department.
~~8) Informational Filings:~~
~~A) Company---Filing---#---Number---used---to--distinguish--this informational-filing-from--any--other--filing--submitted--to Illinois---for---filing.---This--number--is--limited--to--15 characters.--Do-not-use--blank--spaces--in--filing--numbers. Blank-spaces-will-be-ignored.~~
~~B) Category---The--classification-of-the-policy-form-taken-from the-coding-guide-(Exhibit-B-of-this-Part).~~
~~C) Information-Type---The-characteristic--abbreviation--of--the Informational-Type-taken-from-the-Coding-Guide-(Exhibit-B-of this--Part).--If-no-related-forms-are-required,-as-disclosed in-Exhibit-B-of-this-Part,-the-transmittal-is-complete.---If related--forms--are--required,--the--following-items-must-be completed.~~
~~B) Related--Previously--Approved--Filing--#---Number--used--for previously-approved/filed-form-for-which-this--informational filing-relates.~~
~~E) Related--Previously--Approved-Form-#---Identification-of-the previously-approved-policy-form-to--which--this--information relates-must-be-listed-here.~~
~~Note:--If--the-related-previously-approved-filing-#-and-form #-are-not-listed--on--this--transmittal,--the--informational~~

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED AMENDMENTS

~~filing-will-not-be-processed.~~
~~Note:--Only---one--informational--filing--can--be--made--per transmittal-sheet.~~
~~Note:--When--submitting---more---policy---forms---than---the transmittal--sheet--will-allow,-continue-completing-the-same section-on-an-additional-form,-including-the-information--in items-one-through-seven-and-the-appropriate-page-number.~~
9) If no related forms are required, as disclosed in Exhibit B of this Part, the transmittal is complete. If related forms are required, the following items must be completed.
A) Related Previously Approved Filing # - Number used for previously approved/filed form for which this informational filing relates.
B) Related Previously Approved Form # - Identification of the previously approved policy form to which this information relates must be listed here.
Note: If the related previously approved filing # and form # are not listed on this transmittal, the informational filing will not be processed.
Note: Only one informational filing can be made per transmittal.
Note: Prior to January 1, 2001, when submitting more policy forms than the transmittal will allow, continue completing the same section on an additional form, including the information in items one through eight and the appropriate page number. As of January 1, 2001, the electronic process will allow any number of policy forms to be reported per Section.

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED AMENDMENTS

INFORMATIONAL TRANSMITTAL ~~SHEET~~

Page ___ of ___

1) COMPANY NAME _____

2) COMPANY CONTACT PERSON MAILING ADDRESS:

C/O _____

STREET _____

CITY _____ STATE _____ ZIP _____

3) COMPANY FEIN [_____]

~~4)~~ 4A) COMPANY FILING NUMBER _____

B) FILING CATEGORY _____

C) INFORMATIONAL TYPE _____

~~5.~~ 5.A) COMPANY CONTACT PERSON _____

~~5.~~ 5.B) CONTACT PERSON PHONE NUMBER _____

~~7.~~ 6) ELECTRONIC MAIL ID # [_____]

~~8.~~ 7) SUBMITTAL DATE _____

~~9)~~ 8) INFORMATIONAL FILINGS -

~~a) COMPANY FILING #~~ [- - - - - - - - - - - - - - - -]

~~b) CATEGORY~~ [- - - -]

~~c) INFORMATION TYPE~~ [- - - -]

~~9A) c)~~ 9A) RELATED PREVIOUSLY APPROVED FILING #	~~9B) c)~~ 9B) RELATED PREVIOUSLY APPROVED FORM #

-For Department Use Only-

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED AMENDMENTS

(Source: Renumbered from Exhibit C, Illustration C and amended at 24 Ill. Reg. 3547, effective FEB 18 2000)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Operation of Watercraft Carrying Passengers for Hire on Illinois Waters

2) Code Citation: 17 Ill. Adm. Code 2080

3) Section Numbers: 2080.40 — Adopted Action: Amendments

4) Statutory Authority: Implementing and authorized by Sections 2-1, 2-2, 7-1, 7-2, 7-3, 7-4, 7-5, 7-6, 7-7, 7-8, 7-9 and 8-3 of the Boat Registration and Safety Act [625 ILCS 45/2-1, 2-2, 7-1, 7-2, 7-3, 7-4, 7-5, 7-6, 7-7, 7-8, 7-9 and 8-3].

5) Effective Date of Amendments: February 17, 2000

6) Does this rulemaking contain an automatic repeal date? No

7) Does this amendment contain incorporations by reference? No

8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.

9) Notice of Proposal Published in Illinois Register: December 10, 1999, 23 Ill. Reg. 14198

10) Has JCAR issued a Statement of Objection to these amendments? No

11) Differences between proposal and final version: None

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes

13) Will this rulemaking replace an emergency amendment currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Rulemaking: These amendments add language requiring the marine inspector to follow the standards set forth in 46 Code of Federal Regulations, Subchapter S, in determining passenger capacity for vessels with 2 or more passenger-carrying decks above the waterline.

16) Information and questions regarding these adopted amendments shall be directed to:

Jack Price
Department of Natural Resources
524 S. Second Street, Room 430 217/782-1809
Springfield IL 62701-1787

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

The full text of the adopted amendments begins on the next page:

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER e: LAW ENFORCEMENT

PART 2080
OPERATION OF WATERCRAFT CARRYING PASSENGERS
FOR HIRE ON ILLINOIS WATERS

Section
2080.10 Introduction
2080.20 Definitions
2080.30 Applicability
2080.40 Dry Dock Inspection
2080.50 Dockside Inspection
2080.60 Licensing Requirements
2080.70 License and Decal
2080.75 Rental Boats
2080.80 Misuse of License or Decal
2080.90 Suspension and Revocation of Decals and Licenses

AUTHORITY: Implementing and authorized by Sections 2-1, 2-2, 7-1, 7-2, 7-3, 7-4, 7-5, 7-6, 7-7, 7-8, 7-9 and 8-3 of the Boat Registration and Safety Act [625 ILCS 45/2-1, 2-2, 7-1, 7-2, 7-3, 7-4, 7-5, 7-6, 7-7, 7-8, 7-9 and 8-3].

SOURCE: Adopted at 20 Ill. Reg. 15697, effective December 2, 1996; amended at 22 Ill. Reg. 10491, effective June 1, 1998; amended at 23 Ill. Reg. 9062, effective July 28, 1999; amended at 24 Ill. Reg. 3594, effective FEB 17 2000.

Section 2080.40 Dry Dock Inspection

a) For watercraft carrying more than six passengers for hire, as defined by the United States Coast Guard, already licensed to carry passengers for hire in the State of Illinois prior to the effective date of this Part, the initial dry dock inspection shall be required as follows:
   1) Watercraft having a registration number ending with either 0 or 1 shall be inspected before being licensed in 1997.
   2) Watercraft having a registration number ending with either 2 or 3 shall be inspected before being licensed in 1998.
   3) Watercraft having a registration number ending with either 4 or 5 shall be inspected before being licensed in 1999.
   4) Watercraft having a registration number ending with either 6 or 7 shall be inspected before being licensed in 2000.
   5) Watercraft having a registration number ending with either 8 or 9 shall be inspected before being licensed in 2001.

b) Inspection Procedures for Watercraft Carrying More Than Six Passengers For Hire, as defined by the United States Coast Guard in 46 CFR

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Subchapters T, K, K', and H.
   1) Before carrying passengers for hire, a watercraft shall successfully complete a dry dock inspection conducted by a marine inspector. The Department shall subsequently require successful completion of a dry dock inspection every 5 years.
   2) Before an inspection, the owner of a watercraft shall remove or effectively store all associated equipment, including fishing gear, coolers, and personal belongings onboard the watercraft, which could impede the inspection process.
   3) The owner of a watercraft shall open or remove all hatches and inspection ports before or during an inspection and shall have the watercraft in a reasonably clean and orderly condition.
   4) To determine that a watercraft is seaworthy and in good and serviceable condition, the owner of a vessel shall permit the marine inspector to inspect the entire interior and exterior of the vessel, including all components, machinery, and associated equipment.
   5) When the marine inspector has reasonable cause to believe that the seaworthiness or the sound structure of the watercraft may be impaired, the owner of the watercraft may be required to remove sections or portions of the lining, decking, ceiling, or other obstructions that may obscure any part of the watercraft so that the seaworthiness or sound structure may be determined.

c) Watercraft Passenger Capacity; Determination
   1) On watercraft that do not have or are not required to have a watercraft capacity plate, the maximum passenger capacity shall be determined by applying any one of the following criteria which result in the allowance of the greatest number of passengers.
      A) One passenger per 30 inches of rail space available to passengers at the watercraft's sides and across the transom.
      B) One passenger per 10 square feet of deck area available for passenger use. In computing the deck area, the areas occupied by concession stands, toilets and washrooms, companionways, and stairways shall be excluded.
      C) One passenger per 18 inches of width of fixed seating provided.
   2) ~~On~~ Except as provided in subsection (c)(3), on vessels that have or are required to have vessel capacity plates, the passenger capacity shall be determined by applying either of the following criteria which result in the allowance of the greatest number of persons without exceeding the capacity plate maximums.
      A) (Weight capacity - maximum motor and gear weight) / 150 = number of passengers.
      B) (Boat length X boat beam) / 15 = number of passengers.
   3) The marine inspector shall calculate the number of passengers which may safely be transported on watercraft carrying passengers for hire. For watercraft that have 2 or more passenger decks above the waterline, the marine inspector shall follow the vessel

stability criteria contained in 46 CFR Subchapter S (1999; no later amendments or editions included) in determining the number of passengers allowable on each deck of the watercraft. The number shall be set forth on the certificate of inspection.

d) Vessel damage, repairs, and alterations; reports; repair and alteration standards; modification of corrections and repairs; determination of unsafe vessel; modification and inspection exception.

1) When a vessel is involved in an accident causing major physical damage, has structural damage, or is to be hauled out and dry docked to carry out major repairs or alterations affecting the vessel's seaworthiness, the owner of the vessel shall immediately report to a marine inspector the nature of the damage, repairs, or alterations. Physical damage does not include breakage of glass, lights, or decorative items.

2) All repairs and alterations shall be done in accordance with good marine practice and standards and approved by a marine inspector before the work is started. Drawings, sketches, or written specifications may be required by the marine inspector depending on the nature and extent of the repairs or alterations.

3) The owner of a vessel shall not allow the vessel to be returned to service or returned to the water until all repairs or alterations have been completed and the vessel has been reinspected and approved by a marine inspector. A marine inspector shall reinspect the watercraft as soon as possible after notification by the owner that the repairs and alterations have been completed.

4) When corrections or repairs to the watercraft or associated equipment are required as a result of an inspection by a marine inspector, the owner of the vessel shall notify the marine inspector when the corrections or repairs have been made.

5) When during the course of an inspection, the marine inspector finds equipment or conditions which are not addressed in this Part and which are unsafe or jeopardize the safety of the passengers carried onboard, the marine inspector shall require the condition be corrected or the equipment removed from the watercraft.

6) When it is determined by the marine inspector that a watercraft, because of its construction or design, or both, is not safe to carry passengers for hire, a certificate of inspection shall not be issued. The owner, if not satisfied with the decision of the Department, may seek relief by requesting a formal hearing as authorized by 17 Ill. Adm. Code 2530, Department Formal Hearings Conducted for Rulemaking and Contested Cases.

7) Notification and inspection shall not be required for general maintenance dry docking or hauling out.

e) Inspection Exemptions

1) Watercraft carrying not more than six passengers for hire, as defined by the United States Coast Guard in 46 CFR Subchapters T, K, K', and H, shall not be required to be inspected under the provisions of this Section.

2) Watercraft registered in another state which have been inspected under similar provisions in that state shall not be required to be inspected under the provisions of this Section.

(Source: Amended at 24 Ill. Reg. 3594, effective FEB 17 2000)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED RULES

1) Heading of the Part: Open Land Trust Grant Program

2) Code Citation: 17 Ill. Adm. Code 3050

3)

Section Numbers:	Adopted Action:
3050.10	New Section
3050.20	New Section
3050.30	New Section
3050.40	New Section
3050.50	New Section
3050.60	New Section
3050.70	New Section
3050.80	New Section
3050.90	New Section

4) Statutory Authority: Implementing and authorized by the Open Land Trust Act [525 ILCS 33].

5) Effective Date of Rules: February 17, 2000

6) Does this rulemaking contain an automatic repeal date? No

7) Do these rules contain incorporations by reference? No

8) A copy of the adopted rule, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.

9) Notice of Proposal Published in Illinois Register: December 3, 1999, 23 Ill. Reg. 14107

10) Has JCAR issued a Statement of Objections to these rules? No

11) Differences between proposal and final version:

Section 3050.20(a) - "resource related recreation" was capitalized; the semi-colon following "limited to" was changed to a comma; "(e.g., soccer, baseball and football)" was added following "open play activities".

Section 3050.20(b) - "state" was capitalized in two places; "an eligible local unit of government" was changed to "an eligible unit of local government"; and "a SMSA" was changed to "an SMSA"

Section 3050.50(b) - "See" was added prior to "Section 3050.70".

Section 3050.50(c)(7) - "a signed document" was changed to "a document signed".

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED RULES

Section 3050.70 - the introductory paragraph was labeled "(a)" and subsequent subsections re-labeled accordingly.

Section 3050.70(a)(1)(A) - a comma was added following "not limited to"; the comma following "habitats" was changed to a semi-colon; "and the extent to which the project" was added prior to "contributes"; "greenways" was changed to "greenway"; the semi-colon following "Manual" was changed to a comma; "available from the" was added preceding "Illinois Department"; the comma following "Springfield" was removed and the parenthesis following "1787" was removed.

Section 3050.70(a)(2) - "concept and site characteristics" was capitalized and the semi-colon following "cultural and natural resources" was changed to a comma.

Section 3050.70(a)(4) - "which" was changed to "that".

Section 3050.70(a)(5) - the commas following "violations" and "site" were changed to semi-colons.

Section 3050.70(b) - the semi-colon following "Award" was removed; the quotation marks were removed and a comma was added following "by the Board".

Section 3050.80 - a comma was added following "or" and "is" was added preceding "transferred".

Section 3050.80(b) - "and certification" was removed.

Section 3050.80(d) - "certified" was removed.

Section 3050.80(d)(3) - "check(s)" was changed to "checks".

Section 3050.80(h) - "herein" was changed to "in this Part".

Section 3050.80(j)(3) - "said" was changed to "those".

Section 3050.80(k)(1) - "such" was removed.

Section 3050.80(k)(2) - commas were added following "personal interest", "subdivision", "acquisition for" and "behalf of"; and "such" was changed to "that" in two places.

Section 3050.80(l) - "certifies" was changed to "shall certify".

Section 3050.80(m) - "certifies" was changed to "shall certify".

Section 3050.80(n) - "such" was changed to "the".

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED RULES

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes

13) Will this rulemaking replace an emergency rule currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Rulemaking: The Open Land Trust Act provides for grants to be disbursed by the Department of Natural Resources to eligible local governments for the purpose of acquiring lands for the protection of lakes, rivers, streams, open space, parks, natural lands, wetlands, prairies, forests, watersheds, resource-rich areas, greenways, significant fish and wildlife resources, and endangered or threatened species habitat, and for public outdoor natural resource related recreation purposes.

16) Information and questions regarding these adopted rules shall be directed to:

Jack Price
Department of Natural Resources
524 S. Second Street, Room 430
Springfield IL 62701-1787
217/782-1809

The full text of the adopted rules begins on the next page:

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED RULES

TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER g: GRANTS

PART 3050
OPEN LAND TRUST GRANT PROGRAM

Section
3050.10 Program Objectives
3050.20 Definitions
3050.30 Eligibility Requirements
3050.40 Assistance Formula for Grants
3050.50 General Procedures for Grant Applications and Awards
3050.60 Eligible Project Costs
3050.70 Project Evaluation Priorities
3050.80 Program Compliance Requirements
3050.90 Program Information/Contact

AUTHORITY: Implementing and authorized by the Open Land Trust Act [525 ILCS 33]

SOURCE: Adopted at 24 Ill. Reg. 3600, effective FEB 17 2000.

Section 3050.10 Program Objectives

The Open Land Trust Act (OLT) provides for grants to be disbursed by the Department of Natural Resources (Department) to eligible local governments for the purpose of acquiring lands for the protection of lakes, rivers, streams, open space, parks, natural lands, wetlands, prairies, forests, watersheds, resource-rich areas, greenways, significant fish and wildlife resources, and endangered or threatened species habitat, and for public outdoor natural resource related recreation purposes.

Section 3050.20 Definitions

a) Natural Resource Related Recreation: includes, but is not limited to, backpacking, birdwatching, boating, canoeing, cross country skiing, fishing, hunting, kayaking, nature photography, non-motorized trail use (bicycling, equestrian, hiking and rollerblading), open play activities (e.g., soccer, baseball and football), orienteering, picnicking, primitive camping, trapping, wildlife viewing or other similar outdoor natural resource related activities that do not permanently change the character of the property.

b) Disadvantaged Population: is an eligible unit of local government located within a Standard Metropolitan Statistical Area (SMSA) with a per capita equalized assessed valuation (EAV) less than 55% of the State average and more than 15% of the population below the national

poverty level or an eligible unit of local government located outside an SMSA with an EAV less than 50% of the State average and more than 20% of its population below the poverty level.

Section 3050.30 Eligibility Requirements

Agencies eligible for assistance under the OLT grant program are any unit of local government with statutory authority to acquire, develop and maintain lands for public outdoor natural resource related recreation purposes. This includes, but is not limited to, counties, townships, municipalities, park districts, conservation districts, forest preserve districts and river conservancy districts.

Section 3050.40 Assistance Formula for Grants

The OLT program shall operate on a reimbursement basis providing up to a maximum of 50% funding assistance on total approved project costs. Disadvantaged populations are eligible for up to a maximum of 90% funding assistance on total approved project costs. No more than $2,000,000, may be awarded to any grantee for a single project for any fiscal year.

Section 3050.50 General Procedures for Grant Applications and Awards

a) Grant applications for assistance under this program must be submitted in accordance with a schedule publicly announced annually by the Department. Failure to submit a completed application to the Department by the specified application deadline date will result in project rejection for that particular year.

b) Necessary application material and instructions are available through the Department. Awarding of grants will be on a competitive basis (see Section 3050.70) and will be made under authority of the Director of the Department of Natural Resources.

c) Project grant applications will consist of the following components:
   1) applicant's name, address and telephone number;
   2) information on the supply of existing public park and open space acreage located within the project sponsor's (applicant) jurisdiction;
   3) an itemized proposed project cost estimate;
   4) project narrative statement describing the project concept, location, need for and objectives of the project, anticipated benefits, proposed usages and method of financing or accomplishing the project;
   5) project location map, site plat map and proposed site development and/or restoration plans;
   6) project environmental evaluation;
   7) a document signed by the applicant verifying the applicant has the resources to initially finance and subsequently manage the project area and will comply with program regulations; and

   8) a commitment for title insurance in the name of the project sponsor for the property planned for acquisition or other Department approved means of title search.

d) A program information packet may be obtained from the Division of Grant Administration, Illinois Department of Natural Resources, 524 S. Second Street, Springfield IL 62701-1787, telephone 217/782-7481.

Section 3050.60 Eligible Project Costs

a) Grant assistance may be obtained for land acquisition costs for the conservation of open space, natural resources and public natural resource related recreation purposes, including associated eligible appraisal and relocation costs. Eligible projects include, but are not limited to, acquisition of land for the following:
   1) Natural resource conservation and open space purposes to protect lakes, rivers, streams, open space, natural lands, wetlands, prairies, forests, watersheds, resource-rich areas, greenways, significant fish and wildlife resources, and endangered or threatened species habitats, existing forest preserves, conservation areas, nature preserves, and land and water reserves, and/or unique geologic or biologic features; and
   2) additions to such existing public areas.

b) Project costs for which reimbursement is sought cannot be incurred by the project applicant prior to grant approval notification or Department authorization. Costs incurred prior to Department approval are ineligible for grant assistance. For acquisition projects, costs are considered incurred when property deed, lease or other conveyance is accepted by the local sponsor or first payment is made on the project property or to an escrow account for the property. In addition, no purchase agreement, option, etc., or price negotiations shall be entered into without Department approval.

c) No grant awards shall be awarded for the acquisition of land that will not be available for general public outdoor natural resource related recreation purposes unless otherwise approved by the Department.

d) No grant awards shall involve the use of eminent domain. Land interests must be purchased from willing sellers only.

Section 3050.70 Project Evaluation Priorities

a) The following factors shall be used by the Department in evaluating and recommending local project applications for funding assistance consideration:
   1) Statewide Natural Resource and Natural Resource Related Outdoor Recreation Priorities - 60%
      A) Department Statewide Priorities - 67%
         Projects are evaluated in terms of their ability to address major outdoor natural resource related recreation and conservation purposes and issues identified by the

Department in statewide or regional plans. These include, but are not limited to, the protection and stewardship of lakes, rivers, streams, open space, parks, natural lands, wetlands, prairies, forests, watersheds, resource-rich areas, greenways, significant fish and wildlife resources, and endangered or threatened species habitats; and the extent to which the project contributes to the ecological viability of a park, conservation area, forest preserve, nature preserve, land and water reserve, greenway and long distance trail corridors. These priorities are listed in the Department's OLT Local Participation Grant Manual, available from the Illinois Department of Natural Resources Division of Grant Administration, 524 South Second Street, Springfield IL 62701-1787.

B) Statewide Local Needs Assessment - 33%
Determination of local need is based on a comparison of existing supply and distribution of open space and park land acreage, measured in acres/capita, to the statewide median and/or to locally adopted standards. Natural resource related recreation needs based on project service area are also given consideration.

2) Project Concept and Site Characteristics - 25%
The project proposal is evaluated in terms of the site's ecological resources and aesthetic qualities, including accessibility; soil, topographic and hydrologic characteristics; site vegetation; wildlife benefits; compatibility with adjacent land uses; environmental intrusion on the site; and demonstrated commitment to natural resource restoration and management of the site, sites threatened with development, impacts to cultural and natural resources, and the natural resources related recreation provided by the project.

3) Local Planning - 10%
The major consideration under this criteria is public support and input into the project plan and existence of a comprehensive local open space plan identifying the proposed project as a priority. Consideration is also given for natural resource related recreation opportunities not specifically identified in a local plan but having documented widespread public support.

4) Other Considerations - 5%
Relevant factors considered in evaluating the overall merits of a project and need for funding include projects located in inner-urban areas; involving private donations and match that leverages local funds; or from applicants not previously benefitting from OLT assistance.

5) Penalty Factors - (deduct up to 15%)
Consideration is given to the applicant's past performance in completing OLT or other Department grant projects, restoration or development plans or unresolved project violations; ability to

properly maintain the project site; and failure to participate with the Department in completing the "Illinois Recreation Facilities Inventory" (IRFI).

b) Project Application Review and Grant Award
Department grant staff, in consultation with executive and appropriate resource staff, reviews all applications in accordance with the established evaluation criteria. Preliminary recommendations are then submitted to the Department's Natural Resource Advisory Board for consideration at a public hearing conducted by the Board, after which final recommendations are forwarded to the Director for OLT grant approval.

Section 3050.80 Program Compliance Requirements

a) Any property acquired through assistance from the Illinois OLT grant program must be open to the public for outdoor natural resource related recreation purposes unless the Department determines that public accessibility would be detrimental to the real property or any associated natural resources. Land acquired with funding assistance from the OLT program shall be operated, managed and maintained for the purposes identified in the grant application in perpetuity unless otherwise approved by the Department. No real property acquired with grant funds may be sold, leased, exchanged, or otherwise encumbered, unless it is used to qualify for a federal program, or, subject to Department approval, is transferred to the federal government, the State, or a unit of local government for a compelling public purpose. Approval for property conversion may be granted by the Department if the project sponsor substitutes replacement property of equal fair market value, natural resource value and comparable outdoor recreation usefulness, quality and location.

b) An appraisal must be provided by the sponsoring agency and submitted to the Department for review to establish the property's fair market value. The appraisal must be completed to Department specifications.

c) The local project sponsor is required to enter into an agreement with the Department for an amount agreed upon as necessary to complete the approved project, specifying the related grant reimbursement amount and program compliance regulations.

d) Upon project completion, the project sponsor must submit a project billing request (expenditure statement) listing/verifying all funds expended on the project for which grant reimbursement is sought, as well as required billing documentation, as follows:
1) proof of good faith negotiations or fair market value offer to land seller;
2) copy of property deed and title insurance policy showing ownership transferred to the local project sponsor; and
3) copies of canceled checks showing proof of payment to seller.

e) Financial records on approved projects must be maintained and retained by the project sponsor for possible State audit for a period of five

years after final reimbursement payment is made by the Department.

f) The sponsoring agency must permanently post an OLT grant acknowledgment sign at the project site. The necessary sign will be provided by the Department or specifications for its construction will be furnished to the local project sponsor, if requested.

g) Projects assisted with OLT grant funds shall be implemented in accordance with all applicable federal, State and local laws, ordinances and regulations relating to public agency expenditure of funds for public works projects.

h) A final acceptance of the completed project must be made by a representative or agent of the Department prior to final payment of grant reimbursement to the project sponsor. Acceptance by the Department will be subject to completion of all action required of the local sponsor as indicated in this Part.

i) The sponsoring agency shall convey to the Department at no charge a conservation easement on the lands acquired with OLT assistance.

j) The sponsoring agency must comply with and abide by the following operation and maintenance provisions:

1) All lands assisted with OLT funds shall be continuously operated and maintained by the sponsoring agency in a safe and attractive manner at no cost to the Department and be operated and utilized in such a manner as to maximize the intended benefits to and for the public.

2) The Department shall have access to OLT-assisted lands at all times for inspection purposes to ensure the project sponsor's continued compliance with this Part.

3) The sponsoring agency may enter into a contract or agreement with responsible concessionaires to operate and/or construct facilities desired by the public and the sponsoring agency that are important for enjoyable and convenient natural resource based recreation. Any and all concession revenue in excess of the costs of operation and maintenance of the OLT lands and/or facilities shall be used for the improvement of those lands or facilities or similar nearby public facilities. All licenses entered into by the sponsoring agency with third persons relating to accommodations or concessions to be provided for or at the OLT facility for benefit of the public shall be submitted to the Department for its approval prior to the license being entered into or granted by the sponsoring agency.

4) The project sponsor shall receive approval from the Department prior to initiating any development on OLT assisted lands. Approval will be limited to those facilities that are necessary for enjoyable and convenient natural resource related recreation.

k) Conflict of Interests

1) No official or employee of the local political subdivision who is authorized in his official capacity to negotiate, make, accept, or approve or to take part in decisions regarding a contract or subcontract in connection with an approved OLT grant project

shall have any financial or other personal interest in any such contract or subcontract.

2) No person performing services for the local political subdivision in connection with an approved OLT grant project shall have a financial or other personal interest, other than his employment or retention by that local political subdivision, in any contract or subcontract in connection with an approved OLT grant project. No officer or employee of such person retained by the local political subdivision shall have any financial or other personal interest in any real property acquired under an approved OLT grant project unless that interest is openly disclosed upon the public records of the local political subdivision and that officer, employee or person has not participated in the acquisition for, or on behalf of, the local political subdivision.

l) The project sponsor shall certify that it provides a drug free workplace and related employee assistance as defined and required by the Drug Free Workplace Act [30 ILCS 105/16].

m) Pursuant to 775 ILCS 5/2-105(A)(4), the project sponsor shall certify that it has a written sexual harassment policy that includes, at a minimum, the following information:

1) the illegality of sexual harassment;

2) the definition of sexual harassment under State law;

3) a description of sexual harassment utilizing examples;

4) the contractor's internal complaint process, including penalties;

5) the legal recourse, investigation and complaint process available through the Illinois Department of Human Rights and the Human Rights Commission and directions on how to contact both; and

6) protection against retaliation as provided by Section 6-101 of the Illinois Human Rights Act [775 ILCS 5/6-101]. A copy of the policy shall be provided to the Department of Human Rights upon request.

n) Program Violations and Project Termination

1) The State will unilaterally rescind project agreements at any time prior to the commencement of the project in the event that State funds are not appropriated for the grant program. After project commencement, agreements may be rescinded, modified or amended only by mutual agreement with the local political subdivision. A project shall be deemed to be commenced when the local political subdivision makes any expenditure or incurs any obligation with respect to the project.

2) Failure by the local sponsoring agency to comply with any of the program terms listed in this Section shall be cause for the suspension of all grant assistance obligations, unless, in the judgement of the Department, the failure was due to no fault of the local sponsoring agency (e.g., statutory changes, acts of God).

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED RULES

Section 3050.90 Program Information/Contact

For information on the OLT Grant Program, contact:

Illinois Department of Natural Resources
Division of Grant Administration
524 South Second Street
Springfield IL 62701-1787
Telephone: 217/782-7481
FAX: 217/782-9599

DEPARTMENT OF PROFESSIONAL REGULATIONS

NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Illinois Athletic Trainers Practice Act

2) Code Citation: 68 Ill. Adm. Code 1160

3)

Section Numbers:	Adopted Action:
1160.50	Amendment
1160.65	Amendment

4) Statutory Authority: Illinois Athletic Trainers Practice Act [225 ILCS 5]

5) Effective Date of Rulemaking: February 15, 2000

6) Does this rulemaking contain an automatic repeal date? No

7) Does this rulemaking contain incorporations by reference? No

8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.

9) Notice of Proposal Published in Illinois Register: October 15, 1999, at 23 Ill. Reg. 12538

10) Has JCAR issued a Statement of Objection to these amendments? No

11) Differences between proposal and final version: Automated external defibrillation (AED) certification was added to CPR certification in Section 1160.65(b).

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes

13) Will this rulemaking replace an emergency amendment currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Rulemaking: Section 1160.50 is amended to clarify that individuals restoring a license following military service are exempt from the continuing education (CE) requirement. Section 1160.65 is amended to increase the number of CE hours which may be earned per renewal period from 12 to 26 for writing papers or book chapters, self-study courses, or teleconferencing. Includes CPR and AED certification for CE credit, and adds a mechanism for late approval of out-of-state CE.

16) Information and questions regarding these adopted amendments shall be directed to:

DEPARTMENT OF PROFESSIONAL REGULATIONS

NOTICE OF ADOPTED AMENDMENTS

Department of Professional Regulation
Jean Courtney
320 West Washington, 3rd Floor
Springfield, Illinois 62786
217/785-0813 Fax: 217/782-7645

The full text of the adopted amendments begins on the next page:

DEPARTMENT OF PROFESSIONAL REGULATIONS

NOTICE OF ADOPTED AMENDMENTS

TITLE 68: PROFESSIONS AND OCCUPATIONS
CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION
SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS

PART 1160
ILLINOIS ATHLETIC TRAINERS PRACTICE ACT

Section
1160.20 Examination
1160.30 Application for Licensure
1160.31 Approved Programs
1160.35 Fees
1160.40 Renewals
1160.50 Restoration
1160.60 Endorsement
1160.65 Continuing Education
1160.70 Annual Report of Board
1160.80 Granting Variances

AUTHORITY: Implementing the Illinois Athletic Trainers Practice Act [225 ILCS 5] and authorized by Section 60(7) of the Civil Administrative Code of Illinois [20 ILCS 2105/60(7)].

SOURCE: Emergency Rule adopted at 10 Ill. Reg. 4759, effective March 12, 1986, for a maximum of 150 days; adopted at 10 Ill. Reg. 20731, effective December 1, 1986; amended at 11 Ill. Reg. 9939, effective May 12, 1987; transferred from Chapter I, 68 Ill. Adm. Code 160 (Department of Registration and Education) to Chapter VII, 68 Ill. Adm. Code 1160 (Department of Professional Regulation) pursuant to P.A. 85-225, effective January 1, 1988, at 12 Ill. Reg. 2935; amended at 20 Ill. Reg. 2408, effective January 29, 1996; amended at 24 Ill. Reg. 3611, effective FEB 15 2000.

Section 1160.50 Restoration

a) A person seeking restoration of a license that has expired for less than 5 years shall have the license restored upon payment of $20 plus all lapsed renewal fees as set forth in Section 1160.35(g) of this Part. After May 31, 1998, a person seeking restoration of a license shall provide evidence of successful completion of 40 hours of continuing education in accordance with Section 1160.65 earned within the 2 years immediately preceding the restoration.

b) A person seeking restoration of a license that has been placed on inactive status for less than 5 years shall have the license restored upon payment of the current renewal fee specified in Section 1160.35(d) of this Part. After May 31, 1998, a person seeking restoration of a license shall provide evidence of successful completion of 40 hours of continuing education in accordance with Section 1160.65 earned within the 2 years immediately preceding the

DEPARTMENT OF PROFESSIONAL REGULATIONS

NOTICE OF ADOPTED AMENDMENTS

restoration.

c) A person seeking restoration of a license after it has expired or been placed on inactive status for more than 5 years shall file an application, on forms supplied by the Department, together with the fees ~~fee(s)~~ set forth in subsections (a) and (b) above. The application shall also include one of the following documents:
   1) Sworn evidence of active practice in another jurisdiction. Such evidence shall include a statement from the appropriate board or licensing authority in the other jurisdiction that the registrant was authorized to practice during the term of said active practice; or
   2) An affidavit attesting to military service as provided in Section 12 of the Act; or
   3) Other evidence of continued active participation in athletic training for at least the last 2 years.
      A) Such evidence shall show that he/she has been employed in a responsible capacity under the supervision of a licensed athletic trainer; or
      B) Been an officer or employee of the United States government as a practicing athletic trainer; or
      C) Been teaching athletic training in a college or university; or
      D) Has attended, during the 2 years preceding application for restoration athletic training educational programs conducted by an accredited college or university or a professional athletic training association or similar program approved by the Department upon recommendation of the Illinois Board of Athletic Trainers. After May 31, 1998 an applicant shall submit proof of 40 hours of continuing education in accordance with Section 1160.65 of this Part.

d) Any person seeking restoration of a license within 2 years after discharge from military service pursuant to Section 12 of the Act will be required to pay only the current renewal fee and will not be required to submit proof of meeting the continuing education requirements.

e) When the accuracy of any submitted documentation, or the relevance or sufficiency of the course work or experience is questioned by the Department because of lack of information, discrepancies or conflicts in information given or a need for clarification, the person seeking restoration of a license shall be required to:
   1) Provide such information as may be necessary; and/or
   2) Appear for an interviews ~~interview(s)~~ before the Board to explain such relevance or sufficiency, clarify information or clear up any discrepancies or conflicts in information. Upon recommendation of the Board and approval by the Department, an applicant shall have the license restored.

(Source: Amended at 24 Ill. Reg. 3611, effective

DEPARTMENT OF PROFESSIONAL REGULATIONS

NOTICE OF ADOPTED AMENDMENTS

FEB 15 2000)

Section 1160.65 Continuing Education

a) Continuing Education Hour Requirements
   1) Beginning with the May 31, 1998, renewal and for every renewal thereafter, renewal applicants shall complete 40 hours of Continuing Education (CE) relevant to the practice of athletic training during each prerenewal period. The Department shall conduct audits to verify compliance with this Section. The prerenewal period is the 24 months preceding the expiration date of the license.
   2) A renewal applicant is not required to comply with CE requirements for the first renewal following the original issuance of the license.
   3) Athletic trainers licensed in Illinois but residing and practicing in another state must comply with the CE requirements set forth in this Section.

b) Activities for which CE credit may be earned are as follows:
   1) Verified attendance or participation in any continuing education course approved by the National Athletic Trainers' Association Board of Certification or the Illinois Athletic Trainers' Association.
   2) Verified attendance at or participation in a program given by a sponsor as set forth in subsection (c)(1) of this Section.
   3) A maximum of 26 ~~12~~ hours per prerenewal period for:
      A) Papers prepared for or delivered before recognized athletic trainer organizations;
      B) Papers published in nationally recognized athletic training journals;
      C) Writing a chapter in a book about athletic training;
      D) Self-study courses taken through an accredited college or university or an approved sponsor; and
      E) Training taken via teleconferencing with a live moderator through an accredited college or university or an approved sponsor.
   4) A licensee who serves as an instructor, speaker or discussion leader of a course given by an approved sponsor will be allowed CE course credit for actual presentation time, plus actual preparation time of up to 2 hours for each hour of presentation. Preparation time shall not be allowed for presentations of the same course. In no case shall credit for actual time of presentation and preparation be given for more than 9 hours during any renewal period.
   5) The continuing education hours used to satisfy the CE requirements for renewal of an athletic trainer license held in another jurisdiction shall be applied toward the CE requirements for renewal of an Illinois athletic trainer license.

6) Three ~~(3)~~ semester hours of course work relevant to athletic training completed at an accredited college or university. One semester of course work is equivalent to 15 hours of CE and one quarter of course work is equivalent to 10 hours of CE.

7) A CE hour equals 50 minutes. After completion of the initial CE hour, credit may be given in one-half hour increments.

8) Cardiopulmonary resuscitation (CPR) certification by the American Red Cross, American Heart Association, National Safety Council, or their international affiliates, or automated external defibrillation (AED) certification by the American Red Cross or other qualified organization as authorized by the Automated External Defibrillator Act. Five hours of continuing education may be earned for one CPR or AED certification. No more than 2 certifications may be submitted per renewal.

c) CE Sponsors and Programs

1) Sponsor, as used in this Section, shall mean:

A) The National Athletic Trainers' Association Board of Certification or the Illinois Athletic Trainers' Association;

B) Any other school, college or university, State agency, or any other person, firm or association that has been approved and authorized by the Department tq coordinate and present continuing education courses and programs in conjunction with this Section.

2) An entity seeking approval as a CE sponsor shall file an application, along with the required fee set forth in Section 1160.35(e) of this Part, which includes:

A) Certification:

i) That all courses and programs offered by the sponsor for CE credit will comply with the criteria in subsection (c)(5) below and all other criteria in this Section;

ii) That the sponsor will be responsible for verifying attendance at each course or program and provide a certificate of completion as set forth in subsection (c)(7); and

iii) That upon request by the Department, the sponsor will submit such evidence as is necessary to establish compliance with this Section. Such evidence shall be required when the Department has reason to believe that there is not full compliance with the Act and this Part and that this information is necessary to ensure compliance;

B) A copy of a Certificate of Attendance or Participation which meets the requirements set forth in subsection (c)(7); and

C) A sample of a CE course which includes, but is not limited to, course materials, books, instructor credentials.

3) Each sponsor shall submit by May 31 of even numbered years a

renewal application along with the required renewal fee set forth in Section 1160.35(f) of this Part. With the application the sponsor shall be required to submit to the Department a list of all courses and programs offered in the past 2 years, which includes a description, location, date and time the course was offered.

4) State agencies, colleges and universities shall submit a sponsor application in accordance with subsections (c)(2) and (3) above; however, they shall be exempt from payment of the fee.

5) All courses and programs shall:

A) Contain materials that contribute to the advancement, extension and enhancement of professional skills and knowledge in the practice of athletic training;

B) Specify the course objectives, course content and teaching methods to be used;

C) Be developed and presented by persons with education and/or experience in the subject matter of the program;

D) Specify the number of CE hours that may be applied to fulfilling the Illinois CE requirements for license renewal; and

E) Include some mechanism whereby participants evaluate the overall quality of the program.

6) All programs given by sponsors shall be open to all licensed athletic trainers and not be limited to the members of a single organization or group.

7) Certificate of Attendance or Participation. It shall be the responsibility of the sponsor to provide each participant in an approved program or course with a certificate of attendance or participation which shall contain the following information:

A) The name, address and license number of the sponsor;

B) The name and license number of the participant;

C) A brief statement of the subject matter;

D) The number of clock hours actually attended in each program;

E) The date and place of the program; and

F) The signature of the sponsor.

8) The sponsor shall maintain course materials and attendance records containing all information in subsection (c)(7) above for not less than 5 years, except for the signature of the sponsor.

9) The sponsor shall be responsible for assuring that no renewal applicant shall receive CE credit for time not actually spent attending the program.

10) The Department, upon recommendation of the Board, shall withdraw, suspend or place on probation the approval of a CE sponsor when, at any time, the quality of the CE fails to meet the established criteria as set forth in this Section or if the sponsorship approval was based upon false or deceptive information or if any other related license of the sponsor or instructor is suspended, revoked or otherwise disciplined.

11) Notwithstanding any other provision of this Section, the Department or Board may evaluate any sponsor of any continuing education program at any time.

12) The Department shall maintain a list of all approved continuing education sponsors.

d) Continuing Education Earned in Other Jurisdictions.

1) If a renewal applicant will be earning or has earned CE hours in another jurisdiction, the applicant is not licensed in that jurisdiction and the course is not presented by an approved sponsor, the applicant shall submit an individual program approval request form, along with a $20 processing fee, to have the program reviewed. The Board shall review and recommend approval or disapproval of the program using the criteria set forth in subsection (c)(5) of this Section. Applicants may seek individual program approval prior to participation in the course or program. All individual program approval requests shall be submitted at least 90 days prior to the expiration date of the license.

2) If a licensee fails to submit an out of state CE approval form within the required time frame, late approval may be obtained by submitting the approval request form with the $20 processing fee plus a $10 per CE hour late fee not to exceed $150. The Board shall review and recommend approval or disapproval of the program using the criteria set forth in subsection (c)(3) of this Section.

e) Certification of Compliance with CE Requirements

1) Each renewal applicant shall certify, on the renewal application, full compliance with the CE requirements set forth in subsection (a), above.

2) The Department may require additional documentation in order to demonstrate compliance with the CE requirements. It is the responsibility of each renewal applicant to retain or otherwise produce evidence of compliance. Such additional documentation will be required in the context of a Department audit.

3) When there appears to be a lack of compliance with CE requirements, an applicant will be notified and may request an interview with the Board. At that time the Board may recommend that steps be taken to begin formal disciplinary proceedings as required by Section 10-65 of the Illinois Administrative Procedure Act [5 ILCS 100/10-65].

f) Restoration of Nonrenewed License. Upon evidence of compliance with CE requirements, the Department may restore the license upon payment of the required fee.

g) Waiver of CE Requirements

1) Any renewal applicant seeking renewal of a license without having fully complied with these CE requirements shall file with the Department a renewal application, the required renewal fee, a statement setting forth the facts concerning such non-compliance,

and a request for waiver of the CE requirements on the basis of these facts. The applicant may request an interview with the Board at the time of the waiver request. If the Department, upon the written recommendation of the Board, finds from the applicant's affidavit or any other evidence submitted that extreme hardship has been shown to substantiate granting of a waiver, the Department shall waive enforcement of such requirements for the renewal period for which the applicant has applied.

2) If an interview with the Board is requested at the time the request for such waiver is filed with the Department, the renewal applicant shall be given at least 20 days written notice of the date, time and place of such interview by certified mail, return receipt requested.

3) Extreme hardship shall be determined on an individual basis by the Board and be defined as an inability to devote sufficient hours to fulfilling the CE requirements during the applicable prerenewal period because of:

A) Full-time service in the armed forces of the United States of America during a substantial part of the prerenewal period;

B) An incapacitating illness, documented by a currently licensed physician;

C) A physical inability to travel to the sites of approved programs documented by a currently licensed physician; or

D) Any other similar extenuating circumstances (i.e., family illness and prolonged hospitalization).

4) Any renewal applicant who, prior to the expiration date of his/her license, submits a request for a waiver, pursuant to the provisions of this Section shall be deemed to be in good standing and may practice until the Department's final decision on the waiver has been made.

(Source: Amended at 24 Ill. Reg. 3611, effective FEB 15 2000)

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENT(S)

1) Heading of the Part: Medical Practice Act of 1987

2) Code Citation: 68 Ill. Adm. Code 1285

3) Section Numbers:	Adopted Action:
1285.20	Amendment
1285.30	Amendment
1285.40	Amendment
1285.50	Amendment
1285.60	Amendment
1285.70	Amendment
1285.80	Amendment
1285.90	Amendment
1285.100	Amendment
1285.101	Amendment
1285.105	Repealed
1285.110	Amendment
1285.120	Amendment
1285.130	Amendment
1285.140	Amendment

4) Statutory Authority: Medical Practice Act of 1987 [225 ILCS 60].

5) Effective Date of Amendments: February 15, 2000

6) Does this rulemaking contain an automatic repeal date? No

7) Do these amendments contain incorporations by reference? No

8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.

9) Date Notice of Proposal Published in Illinois Register: October 8, 1999, at 23 Ill. Reg. 12308

10) Has JCAR issued a Statement of Objection to these amendments? No

11) Differences between proposal and final version: In Sections 1285.60(b) and 1285.80(c), Part IV of the examination administered by the National Board of Chiropractic Examiners as a requirement for licensure as a chiropractic physician has been removed.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will these amendments replace emergency amendments currently in effect? No

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENT(S)

14) Are there any amendments pending on this Part? Yes

Section Numbers	Proposed Action	Ill Register Citation
1285.265	Amendment	24 Ill. Reg. 2185

15) Summary and Purpose of Amendments: Section 9.7 of the Medical Practice Act (Public Act 90-722) directs the Department to perform a criminal background check on endorsement applicants; Section 1285.80 implements this provision. Section 1285.105, providing chiropractic physician preceptorships, is repealed pursuant to Public Act 89-702. Section 1285.110 changed the continuing education requirement from 50 hours per year to 150 per renewal cycle, as provided by Public Act 90-742.

16) Information and questions regarding these adopted amendments shall be directed to:

Department of Professional Regulation
Jean Courtney
320 West Washington, 3rd Floor
Springfield, Illinois 62786
217/785-0813 Fax: 217/782-7645

The full text of the Adopted Amendments begins on the next page:

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENT(S)

TITLE 68: PROFESSIONS AND OCCUPATIONS
CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION
SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS

PART 1285
MEDICAL PRACTICE ACT OF 1987

SUBPART A: MEDICAL LICENSING, RENEWAL AND RESTORATION PROCEDURE

Section
1285.20 Six ~~(6)~~ Year Post-Secondary Programs of Medical Education
1285.30 Programs of Chiropractic Education
1285.40 Approved Postgraduate Training Programs
1285.50 Application for Examination
1285.60 Examinations
1285.70 Application for a License on the Basis of Examination
1285.80 Licensure by Endorsement
1285.90 Temporary Licenses
1285.91 Visiting Resident Permits
1285.95 Clinical Skills Standards for Applicants Having Graduated More Than Five (5) Years Prior to Application
1285.100 Visiting Professor Permits
1285.101 Visiting Physician Permits
1285.105 Chiropractic Physician Preceptorship (Repealed)
1285.110 Continuing Medical Education (CME)
1285.120 Renewals
1285.130 Restoration and Inactive Status
1285.140 Granting Variances

SUBPART B: MEDICAL DISCIPLINARY PROCEEDINGS

Section
1285.200 Medical Disciplinary Board
1285.205 Complaint Committee
1285.210 The Medical Coordinator
1285.215 Complaint Handling Procedure
1285.220 Informal Conferences
1285.225 Consent Orders
1285.230 Summary Suspension
1285.235 Mandatory Reporting of Impaired Physicians by Health Care Institutions
1285.240 Standards
1285.245 Advertising
1285.250 Monitoring of Probation and Other Discipline and Notification
1285.255 Rehabilitation
1285.260 Fines
1285.265 Subpoena Process of Medical and Hospital Records

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENT(S)

1285.270 Inspection of Physical Premises
1285.275 Failing to Furnish Information

SUBPART C: GENERAL INFORMATION

Section
1285.310 Public Access to Records and Meetings
1285.320 Response to Hospital Inquiries
1285.330 Rules of Evidence

AUTHORITY: Implementing the Medical Practice Act of 1987 [225 ILCS 60] and authorized by Section 60(7) of the Civil Administrative Code of Illinois [20 ILCS 2105/60(7)].

SOURCE: Adopted at 13 Ill. Reg. 483, effective December 29, 1988; emergency amendment at 13 Ill. Reg. 651, effective January 1, 1989, for a maximum of 150 days; emergency expired May 31, 1989; amended at 13 Ill. Reg. 10613, effective June 16, 1989; amended at 13 Ill. Reg. 10925, effective June 21, 1989; emergency amendment at 15 Ill. Reg. 7785, effective April 30, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 13365, effective September 3, 1991; amended at 15 Ill. Reg. 17724, effective November 26, 1991; amended at 17 Ill. Reg. 17191, effective September 27, 1993; expedited correction at 18 Ill. Reg. 312, effective September 27, 1993; amended at 20 Ill. Reg. 7888, effective May 30, 1996; amended at 22 Ill. Reg. 6985, effective April 6, 1998; amended at 22 Ill. Reg. 10580, effective June 1, 1998; amended at 24 Ill. Reg. 3620, effective FEB 15 2000.

SUBPART A: MEDICAL LICENSING, RENEWAL AND RESTORATION PROCEDURE

Section 1285.20 Six ~~(6)~~ Year Post-Secondary Programs of Medical Education

The standards for the ~~six-(~~ 6~~)~~ year post-secondary program of medical or osteopathic ~~(medical)~~ education described in Section 11(A)(2)(a)(i) of the Medical Practice Act of 1987 ~~(Ill.~~ Rev. Stat. 1991, ch. 111, pars. 4400-1 through 4400-63~~)~~ [225 ILCS 60] (the Act) are:

a) At least ~~two-(~~ 2~~)~~ academic years of a course of instruction in a college, university or other institution.

b) At least ~~two-(~~ 2~~)~~ academic years of study in the basic medical sciences which shall include formal instruction in at least the following subjects:
   1) anatomy;
   2) biochemistry;
   3) physiology;
   4) microbiology and immunology;
   5) pathology;
   6) pharmacology and therapeutics; and
   7) preventive medicine.

c) The required basic science courses stated in subsection (b) must be

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENT(S)

taken and completed as part of a program of medical education taught at a medical school and shall not be accepted or co-validated from courses completed as a student in a secondary school, community college, or college of liberal arts and sciences at which degrees are earned prior to the commencement of the medical education program.

d) At least ~~two--(~~ 2~~)~~ academic years of study in the clinical sciences, while enrolled in the medical college which conferred the degree, which shall include at least the following required core clerkship rotations:
   1) internal medicine;
   2) obstetrics and gynecology;
   3) pediatrics;
   4) psychiatry; and
   5) surgery.

e) The core clerkship rotations must have been taken and completed in clinical teaching facilities owned, operated or formally affiliated with the medical college which conferred the degree or under contract in teaching facilities owned, operated or formally affiliated with another medical college which is officially recognized by the jurisdiction in which the medical school which conferred the degree is located.

f) Each applicant for licensure who completed rotations in an affiliated teaching facility must submit a copy of each affiliation agreement between the medical college which conferred the degree and each clinical teaching facility in which a core clerkship rotation was completed. The affiliation agreement(s) to be considered valid pursuant to Section 11(A)(2)(a)(i) of the Act must:
   1) be in writing;
   2) be dated;
   3) be fully executed by the administrator of the clinical teaching facility and the Dean of medical college;
   4) clearly define the rights and responsibilities of each party, including agreements on the role and authority of the governing bodies of both the clinical teaching facility and the medical college; and
   5) be substantiated by submission of an evaluation form completed by the supervising physician for each core clerkship rotation.

g) If a written affiliation agreement does not exist, the Department of Professional Regulation (the Department) shall accept, in lieu of such agreement, an affidavit signed by the current Dean of the medical college and an affidavit signed by the current medical director of the facility or director of medical education or program director ~~administrator~~ of the clinical teaching facility which verifies the following:
   1) that a verbal affiliation agreement existed between the clinical teaching facility and the medical college at the time the core clerkship rotation was completed;
   2) that the applicant was authorized to complete such core clerkship rotation;
   3) that the core clerkship rotation was completed satisfactorily.

   The affidavits shall be substantiated by submission of the evaluation form completed by the supervising physician for each core clerkship rotation.

h) For the purposes of this Section, "academic year" shall be defined as a minimum period of ~~nine-(~~ 9~~)~~ months which includes no less than 25 clock hours per week of basic sciences as set forth in subsection (b) above and no less than 40 clock hours per week of clinical sciences as set forth in subsection (d) above.

i) Each clerkship shall be at least ~~four-(~~ 4~~)~~ weeks in length, shall consist of hands-on experience with patients which is planned, managed and supervised by faculty of the medical school conferring the degree, and be performed in accordance with all requirements of the jurisdiction in which it is completed. The 4 ~~four~~ week psychiatry core clerkship rotation may be completed as follows: 2 ~~two~~ weeks must be obtained formally and distinctly in psychiatry and the other two week requirement may be included in other clinical rotations as verified by the applicant's affidavit.

j) Clinical teaching facilities are defined as those which meet or exceed the requirements of Section 1285.40 or which are part of a residency program accredited by the Accreditation Council for Graduate Medical Education (ACGME), the American Osteopathic Association (AOA), or the College of Family Physicians of Canada, the Royal College of Physicians and Surgeons of Canada or the Federation of Medical Licensing Authorities of Canada ~~Accreditation--Council-on-Canadian Graduate-Medical-Education-(ACGME)~~.

k) In addition, if the applicant is a graduate of a medical college outside of the United States or Canada, he/she must hold a current certification, at the time of application for licensure/ examination, from ~~successfully-complete-an-examination-conducted-by~~ the Educational Commission for Foreign Medical Graduates (ECFMG)~~,-either-the-ECFMS-or-the-Visa-Qualifying-Examination-(VQE),-or--Foreign--Medical--Graduates-Examination-in-the-Medical-Sciences-(FMGEMS),-or-another-comprehensive-examination---determined---by---the--Department--to--be--substantially-equivalent~~.

l) When the accuracy of any submitted documentation, or the relevance or sufficiency of the coursework or core clerkship rotations is questioned by the Department because of a lack of information, discrepancies or conflicts in information given, or a need for clarification, the applicant shall be requested to:
   1) provide such information as may be necessary; and/or
   2) appear for an oral interview before the Medical Licensing Board (the Board) to explain such relevance or sufficiency or otherwise clear up any discrepancies or conflicts in information.

(Source: Amended at 24 Ill. Reg. 3620, effective ~~FEB 15 2000~~)

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Section 1285.30 Programs of Chiropractic Education

a) A program of chiropractic education shall be deemed approved in the judgment of the Department if it meets the following requirements:
   1) a Dean or other Executive Officer, employed on a full-time basis supervises the students and curriculum.
   2) the faculty is comprised of graduates in their specialty from legally recognized and authorized professional colleges or institutions by the jurisdiction in which it is located.
   3) the faculty is organized and each department has a director and professors, each responsible to the director for his instruction in the particular subjects he teaches.
   4) annually, a catalogue or brochure is published setting forth the requisites for admission to the college, tuition, rates, courses offered, dates of sessions, schedule of classes, requirements for graduation, a roster of the undergraduate students and a roster of the last graduating class. The catalogue or brochure shall contain a list of the departments of the school, the titles of the personnel and a brief summary of each person's qualifications. The curriculum shall include, but not be limited to, 4 ~~four~~ academic years' instruction in the following subjects:
      A) Anatomy
         i) Embryology
         ii) Histology
         iii) Neuro-anatomy
      B) Physiology and Chemistry
      C) Pathology and Bacteriology
      D) Diagnosis
         i) Physical
         ii) Differential
         iii) Laboratory
   5) buildings provided with laboratories equipped for instruction in anatomy, chemistry, physiology, bacteriology and other areas of learning necessary to the due course of study prescribed by this Part; and that a laboratory equipped with supplies, models, manikins, charts, stereopticon, roentgen-ray and other special apparatus used in teaching the system to treat human ailments without the use of medicine and operative surgery, be provided.
   6) a library, accessible to students is maintained, with a librarian in constant attendance. The library shall contain a standard medical dictionary, texts and reference books, and the files of professional periodicals.
   7) the college or institution requires all students to furnish, before matriculation, satisfactory proof of the preliminary education required by the Act.
   8) full and complete records are kept showing the credentials for admission, attendance, grades and financial accounts of each student.

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   9) admission of transfer students will be limited to honorably dismissed students from another approved college or institution teaching the same system. The transcript of record obtained directly from the transferring school shall be kept on file. It shall be the duty of a college or institution to furnish such a transcript for the benefit of each student subject to honorable dismissal. No credit shall be given a transferred student for final or "senior year" work or for any courses taken by correspondence.
   10) students shall start class attendance within one week of the start of each session. That credit for completion of a course will not be granted a student who failed to attend 80% of the complete session of the course.

b) Applicants seeking licensure who have received a chiropractic degree from a college that is not fully accredited in accordance with Section 11(B) of the Act and who are seeking licensure based on a second, duplicate or similar degree must pay the required fee and provide an official transcript specified in Section 21 of the Act to the Department showing:
   1) completion of a least ~~two~~ 2 additional academic years of study in the clinical sciences of not less than 960 clock hours per academic year in a fully accredited college during the time of additional study; and
   2) the hours of clinical practice retaken to fulfill the chiropractic degree requirements. No credit will be given for prior credits in clinical practice.

c) All chiropractic colleges fully accredited by the Commission on Accreditation ~~accreditation~~ of the Council of Chiropractic Education or its successor at the time of graduation shall be deemed to have met the minimum standards.

(Source: Amended at 24 Ill. Reg. 3620, effective FEB 15 2000)

Section 1285.40 Approved Postgraduate Clinical Training Programs

a) A hospital shall, in the judgment of the Department, be deemed approved for the post-graduate clinical training ("clinical training") required for licensure if it meets the following standards:
   1) Contains at least the departments of internal medicine, surgery, obstetrics and pediatrics; and has an organized departmentalized staff, holding meetings monthly for case reviews and study.
   2) Laboratory employing a full-time technician and at least a part-time pathologist legally empowered to perform laboratory services, visiting the laboratory at least ~~two~~ 2 days per week.
   3) Radiological department employing an X-ray technician and at least a part-time roentgenologist legally empowered to perform

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radiology services, visiting the department at least ~~two--(~~ 2~~)~~ days per week.

4) Maintenance of an up-to-date medical library available to residents.

b) The hospital shall, upon request, provide the Department with the names of staff members of the various departments of the hospital.

c) The hospital shall certify, on forms provided by the Department, to the satisfactory completion of not less than ~~twelve-(~~ 12~~)~~ months of clinical training as required by Section 11(A)(1) of the Act or ~~twenty-four-(~~ 24~~)~~ months of clinical training as required by Section 11 (A)(2) and (3). Such certification shall identify the commencement date and the concluding date of the training.

d) The Department, upon the recommendation of the Medical Licensing Board, has determined that all clinical training programs accredited by the Accreditation Council for Graduate Medical Education, the American Osteopathic Association, and the College of Family Physicians of Canada, the Royal College of Physicians and Surgeons of Canada and the Federation of Medical Licensing Authorities of Canada ~~Accreditation-Council-on-Canadian-Graduate--Medical--Education~~ as of January 1, 1999 ~~1988~~, meet the minimum criteria set forth in this Section and are, therefore, approved~~,-except-as-provided-in-subsection-(c)-below~~.

e) In the event of a decision by any of the above accrediting bodies in subsection (d) ~~(b)~~ to suspend, withdraw or revoke accreditation of any clinical training ~~program-accredited-as-of-January-1,-1988~~, the Board shall proceed to evaluate the program and either approve or disapprove the program pursuant to the minimum criteria set out in subsection (a) above.

(Source: Amended at 24 Ill. Reg. 3620, effective FEB 15 1999)

Section 1285.50 Application for Examination

a) An applicant for licensure to practice medicine in all of its branches must make application to the Department or its designated testing service on forms furnished by the Department ~~at-least-90-days-prior-to-such-examination~~.

b) Each applicant to take the examination for a license to practice medicine in all of its branches shall submit to the Department:

1) A fully completed application, signed by the applicant, on which all questions have been answered and all programs of medical education attended by the applicant have been identified;

2) Proof that the applicant is of good moral character. Proof shall be an indication on the application that the applicant has not engaged in any conduct or activity which would constitute grounds for discipline under Section 22 of the Act. Applications of individuals who answer affirmatively to any question on the

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Personal History portion of the application or who have engaged in activities which would constitute grounds for discipline shall be forwarded to the Enforcement Division of the Department for further investigation and action by the Medical Licensing Board as provided in Section 9(B)(4) of the Act;

3) An official transcript of a course of instruction in a college, university or other institution as required by Section 1285.20(a) of this Part;

4) An official transcript and diploma or official transcript and certification of graduation from the medical education program granting the degree;

5) Individuals applying under Section 11(A)(2)(a)(i) shall also submit certification, on forms provided by the Department, that the core clerkship rotations were completed in accordance with Section 1285.20 of this Part and proof of current FCFMG certification ~~passage-of-the-examination~~ set forth in Section 1285.20(k);

6) Proof of successful completion of the United States Medical Licensing Examination (USMLE) Step 1 and 2 in accordance with Section 1285.60 or combination of examinations set forth in Section 1285.60(a)(4). Examination scores shall be submitted directly to the Department from the testing entity;

7) A complete work history since graduation from medical school;

8) Fees as required by Section 21 of the Act;

9) Proof of satisfactory completion of an approved clinical training program in accordance with Section 1285.40;

10) Documentation of clinical skills as set forth in Section 1285.95 of this Part and Section 11(A)(2)(A)(i) of the Act from those applicants who graduated from medical school more than five years prior to the date of application;

11) A certification from the jurisdiction of original licensure and current licensure stating:

A) The date of issuance and status of the license; and

~~B) The-basis-of-licensure-and-a-description-of-the--examination-by-which-the-applicant-was-licensed,-if-any;~~

~~C) Name--and--location--of--the--college,--university,-or-other-institution--from--which--the--applicant--received---medical-education,-type-of-degree-and-date-degree-was-conferred;-and~~

BB) Whether the records of the licensing authority contain any record of disciplinary action taken or pending.

c) Examination prior to Completion of Clinical Training

1) A candidate may apply for the examination and take the examination given prior to completion of the clinical training required by the Act, provided the applicant:

~~A) is-registered-in-an-approved-program--of--clinical--training-and--on--whose--behalf-a-temporary-license-by-the-Department-has-been-issued-pursuant-to-the-provisions-of-Section-17--of-the-Act;~~

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AB) satisfies all of the requirements to take the examination for licensure to practice medicine in all of its branches, except completion of an approved program of clinical training; and

~~C) furnishes a statement from hospital authorities certifying that the applicant who is applying to sit for FLEX Component I or FLEX Component II has completed at least four (4) calendar months of clinical training in the approved program and performance in such training is satisfactory to date; or~~

BB) furnishes a statement from hospital authorities certifying that the applicant who is applying to sit for the USMLE Step III has completed at least ~~twelve (~~12~~)~~ calendar months of the approved program of clinical training, and performance in the training is satisfactory to date.

2) The results of the examination shall be made available to the applicant but no license shall be issued until the Department receives proof of the applicant's satisfactory completion of the required approved clinical training program.

(Source: Amended at 24 Ill. Reg. 3620, effective FEB 15 2000)

Section 1285.60 Examinations

a) Examinations for licensure to practice medicine in all of its branches:

1) Examinations conducted by the Department or its designated testing service for licensure to practice medicine in all of its branches shall be conducted in the English language and shall, prior to December 31, 1993, consist of:

A) The Federation Licensing Examination - FLEX Component 1 - an examination placing emphasis on basic and clinical science principles and mechanisms underlying high-impact diseases and problems encountered in an in-patient, supervised setting, during the delivery of health care; and

B) The Federation Licensing Examination - FLEX Component 2 emphasis on issues related to the general delivery of health care to patients in an ambulatory setting encountered in an independent practice.

2) For those applicants who have passed FLEX Component 2 but have not successfully completed FLEX Component 1 prior to 1994, the Department shall administer FLEX Component 1 twice in 1994. Any applicant who does not successfully complete FLEX Component 1 during 1994 shall be required to successfully complete USMLE Step 1 and Step 2 in accordance with this Section.

3) Beginning January 1, 1994, the examinations for licensure to practice medicine in all of its branches shall be Steps 1, 2 and

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3 of the United State Medical Licensing Examination (USMLE)--a joint program of the Federation of State Medical Boards of the U.S. Inc. and the National Board of Medical Examiners.

A) USMLE Step 1 and Step 2 will be administered by the National Board of Medical Examiners and the Education Commission for Foreign Medical Graduates (ECFMG).

B) USMLE Step 3 will be administered by the Department or its designated testing service. Examinees shall successfully complete Step 1 and Step 2 before applying to the Department to take Step 3 of the examination.

4) The Department will accept the following combinations of examinations completed prior to January 1, 2000:

A) FLEX Component 1 taken prior to January 1, 1995, and FLEX Component 2 taken prior to January 1, 1994;

B) FLEX Component 1 plus USMLE Step 3;

C) National Board of Medical Examiners (NBME) Part 1 or USMLE Step 1 plus NBME Part II or USMLE Step 2 plus FLEX Component 2; or

D) NBME Part I or USMLE Step 1 plus NBME Part II or USMLE Step 2 plus NBME Part III or USMLE Step 3.

5) The passing score on all Components, Parts or Steps of the examinations set forth in subsections ~~subsection~~ (a)(2), (3) and (4) above shall be a minimum of 75 or the passing score set by the authorized testing entity.

6) In the case of failure on the examination, examinees shall be required to retake only that Component, Part or Step of the examination on which they did not achieve a passing score ~~of--at least 75~~.

7) In the event all USMLE Steps are not successfully completed within ~~seven (~~7~~)~~ years after ~~of~~ passing the first step taken, either Step 1 or Step 2, credit for any Step passed shall be forfeited.

8) Any applicant for licensure to practice medicine in all of its branches who has been unsuccessful in 5 examinations (any Component, Part or Step of the examinations accepted by the Department as set forth in subsection (a)(4) above), conducted in this State or any other jurisdiction shall be deemed ineligible for further examination until the Department is in receipt of proof that the applicant has completed, subsequent to his/her fifth failure:

A) a course of clinical training of not less than 12 months in an accredited clinical training program in the United States or Canada in accordance with Section 1285.40; or

B) a course of study of ~~nine--(~~9~~)~~ months in length (one academic year) which includes no less than 25 clock hours per week of basic sciences as set forth in Section 1285.20(b) of this Part and no less than 40 clock hours per week of clinical sciences as set forth in Section 1285.20(d)

of this Part; or

C) any other formal professional study or training in an accredited medical college or hospital, deemed by the Department to meet the requirements of subsection (a)(8) (A) or (B) above.

9) Failure to appear for any Component, Part or Step of the examination for which the applicant has been scheduled shall be considered a failure of the examination.

b) Examinations for licensure to practice chiropractic.

1) Examinations for licensure to practice chiropractic shall be conducted in the English language and shall consist of the examination administered by the National Board of Chiropractic Examiners and shall consist of Part I, Part II and Part III.

2) To be successful, examinees must receive a score of at least 75 on all 3 ~~three~~ parts of the examination.

3) Any applicant for licensure as a chiropractic physician who has been unsuccessful in 5 examinations conducted in this State or any other jurisdiction shall be deemed ineligible for further examination until the Department is in receipt of proof (i.e., certificate of completion of training, transcript) that the applicant has completed, subsequent to his/her fifth failure, a course of study of 960 classroom hours (one academic year) in an accredited chiropractic program or any other equivalent formal professional study or training in an accredited chiropractic program as approved by the Department.

(Source: Amended at 24 Ill. Reg. 3620, effective FEB 15 2000)

Section 1285.70 Application for a License on the Basis of Examination

a) Each applicant for a license to practice medicine in all of its branches on the basis of examination must submit to the Department:

1) A fully completed application signed by the applicant, on which all questions have been answered and all programs of medical education attended by the applicant have been identified, including dates of attendance;

2) Proof that the applicant is of good moral character. Proof shall be an indication on the application that the applicant has not engaged in any conduct or activities which would constitute grounds for discipline under Section 22 of the Act. Applications of individuals who answer affirmatively to any question on the Personal History portion of the application or who have engaged in activities which would constitute grounds for discipline shall be forwarded to the Enforcement Division of the Department for further investigation and action by the Medical Licensing Board as provided in Section 9(B)(4) of the Act;

3) An official transcript of a course of instruction in a college,

university or other institution as required by Section 1285.20(a) of this Part;

4) A complete work history since graduation from medical school;

5) Fee as required by Section 21 of the Act;

6) An official transcript and diploma or an official transcript and certification of graduation from the medical education program granting the degree which shall evidence that the applicant has met the minimum medical education requirements of the Act;

7) Certification on forms provided by the Department, that the core clerkship rotations were completed in accordance with Section 1285.20 of this Part and proof of current ECFMG certification as ~~successful completion of the examination~~ set forth in Section 1285.20(k) for those applicants who are applying under Section 11(A)(2)(a) of the Act;

8) Proof of satisfactory completion of an approved program of clinical training in accordance with Section 1285.40;

9) Proof ~~on forms provided by the Department~~ of the successful completion of the examination set forth in Section 1285.60. Scores shall be submitted to the Department directly from the testing entity;

10) A certification from the jurisdiction of original licensure and current licensure stating:

A) The date of issuance of the license; and

~~B) The basis of licensure and a description of the examination by which the applicant was licensed, if any;~~

~~C) Name and location of the college, university or other institution from which the applicant received medical education; type of degree and date degree was conferred;~~

B) Whether the records of the licensing authority contain any record of disciplinary action taken or pending;

11) Documentation of clinical skills, as set forth in Section 1285.95 of this Part and Section 11(A)(2)(a)(i) of the Act, for applicants who graduated from medical school more than 5 years prior to application;

12) Proof of waiver.

A) The provisions of subsection (a)(9) above shall be waived for a candidate for licensure to practice medicine in all of its branches who makes application satisfactory to the Department under Section 9 of the Act who submits proof of the successful completion of:

i) the National Board of Medical Examiners examination subsequent to January 1, 1964; or

ii) the National Board of Examiners for Osteopathic Physicians and Surgeons examination subsequent to June 1, 1973; or

iii) the Federation Licensing Examination (FLEX) in another state obtaining a FLEX weighted average of 75 or more subsequent to June 1, 1968; or

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iv) the Licentiate of the Medical Council of Canada examination (LMCC) subsequent to May 1, 1970; or

v) The Federation Licensing Examination (FLEX) in another state obtaining a score of 75 or more in each Component in accordance with Section 1285.60 of this Part.; ~~or~~

~~vi) The USMLE Steps 1, 2 and 3 taken in another state obtaining a score of 75 or more on each Step in accordance with Section 1285.60 of this Part; or~~

~~vii) Any combinations of the FLEX, NBME or USMLE examinations as set forth in and in accordance with Section 1285.60(a)(4) of this Part on which a score of 75 or more has been obtained.~~

B) Verification of the successful completion of the above described examinations shall show the scores achieved by the applicant on the examination. Scores shall be submitted to the Department directly from the testing entity. ~~with certificate number(s) and where and when the applicant took the examination;~~

b) Each applicant for a license to practice as a chiropractic physician must submit to the Department:

1) A fully completed application signed by the applicant, on which all questions have been answered and all programs of chiropractic education attended by the applicant have been identified, including dates of attendance;

2) An official transcript of a course of instruction, prerequisite to professional training in a college, university or other institution from which the applicant received chiropractic education;

3) An official transcript and copy of diploma or official transcript and certification of graduation from the education program granting the professional degree; the transcript shall indicate that the applicant has met the minimum chiropractic education requirements of Section 11 of the Act;

4) Proof that the applicant is of good moral character and has not engaged in any conduct or activities which would constitute grounds for discipline under Section 22 of the Act. Applications of individuals who answer affirmatively to any question on the Personal History portion of the application or who have engaged in activities which would constitute grounds for discipline shall be forwarded to the Enforcement Division of the Department for further investigation and action by the Medical Licensing Board as provided in Section 9(B)(4) of the Act;

5) A complete work history since graduation from chiropractic school;

6) Fee as required by Section 21 of the Act;

7) Proof of successful completion of Part I, Part II and Part III of the examination pursuant to Section 1285.60(b) forwarded directly

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to the Department from the National Board of Chiropractic Examiners; and

8) Certification from the jurisdiction of original licensure and current licensure stating:

A) The date of issuance of the license; and

B) ~~The basis of licensure and a description of the examination by which the applicant was licensed, if any; C) Name and location of the college, university, or other institution from which the applicant received chiropractic education, type of degree and date degree was conferred; D)~~ Whether the records of the licensing authority contain any record of disciplinary action taken or pending.

(Source: Amended at 24 Ill. Reg. 3620, 7 effective FEB 15 2000)

Section 1285.80 Licensure by Endorsement

a) Each applicant currently licensed in another jurisdiction who applies to the Department for a license to practice medicine in all of its branches on the basis of endorsement must cause to be submitted to the Department:

1) A signed application, on which all questions have been answered and all programs of medical education attended by the applicant have been identified, including dates of attendance;

2) Proof that the applicant is of good moral character. Proof shall be an indication on the application that the applicant has not engaged in any conduct or activities which would constitute grounds for discipline under Section 22 of the Act. Applications of individuals who answer affirmatively to any question on the Personal History portion of the application or who have engaged in activities which would constitute grounds for discipline shall be forwarded to the Enforcement Division of the Department for further investigation and action by the Medical Licensing Board as provided in Section 9(B)(4) of the Act;

3) An official transcript of a course of instruction in a college, university or other institution as required by Section 1285.20(a) of this Part;

4) An official transcript and diploma or official transcript and certification of graduation from the medical education program granting the degree which shall evidence that the applicant has met the minimum medical education requirements of the Act;

5) Certification on forms provided by the Department, that the core clerkship rotations were completed in accordance with Section 1285.20 of this Part and proof of current ECFMG certification as ~~passage of the examination~~ set forth in Section 1285.20(k) for those applicants who are applying under Section 11(A)(2)(a)~~(d)~~(i) of the Act;

6) An original, notarized English translation for any document submitted to the Department in a foreign language;
7) Proof of postgraduate clinical training in the United States or Canada;
8) Certification from the jurisdiction of original and current licensure stating:
   A) The date of issuance of the license; and
   ~~B) The basis of licensure and a description of the examination by which the applicant was licensed, if any;~~
   ~~C) Name and location of the college, university, or other institution from which the applicant received the medical education, type of degree and date degree was conferred; and~~
   BB) Whether the records of the licensing authority contain any record of disciplinary action taken or pending;
9) A complete work history since graduation from medical school;
10) The fee required by Section 21 of the Act.

b) In addition to submitting the application required in subsection (a) above, each applicant for licensure to practice medicine in all of its branches pursuant to the provisions of Section 19 upon the basis of having passed a National Board of Medical Examiners Examination prior to January 1, 1964, or having passed a National Board of Examiners for Osteopathic Physicians and Surgeons Examination before June 1, 1973, or having passed the Licentiate of the Medical Council of Canada (LMCC) before May 1, 1970, or having passed the Federation Licensing Examination (FLEX) prior to June 1, 1968, or a State Constructed Examination, shall, subject as hereinafter provided, pass an examination conducted by the Department or its designated testing service to test the clinical competence of the applicant (clinical test). The Department upon recommendation of the Medical Licensing Board has determined that the examination conducted under this Section shall be Component 2 of the FLEX prior to December 31, 1993, USMLE Step 3 after January 1, 1994 or the Special Purpose Examination (SPEX) or the Comprehensive Osteopathic Medical Special Purpose Examination for the United States of America (COMSPEX-USA) as determined by the Board.
   1) To be successful in the Component 2 examination of the FLEX, USMLE Step 3, ~~or the~~ SPEX or COMSPEX-USA, applicants must receive a minimum score of 75 or the passing score set by the authorized testing entity ~~better~~. In the case of failure on ~~three (~~ 3~~)~~ attempts of the Component 2 examination, USMLE Step 3, ~~or~~ SPEX or COMSPEX-USA, or any combination thereof, the application for licensure on the basis of endorsement shall be denied. Such individuals may thereafter submit an application for licensure on the basis of examination and, if qualified, take the entire examination referenced in Section 1285.60(a)(1), (2) and (3) of this Part in accordance with the manner described therein.
   2) The Medical Licensing Board may, in its discretion and in individual cases where the applicable conditions of Section 19 of the Act have been satisfied, make a recommendation to the Director of the Department of Professional Regulation (Director) for the waiver of the clinical examination requirement herein provided with respect to any such applicant for a license to practice medicine in all of its branches after full consideration of the quality of his/her medical education and clinical training or practical experience, including, but not limited to, whether the applicant is Board Certified in a specialty, has achieved special honors or awards, has had articles published in recognized and reputable journals, has written or participated in the writing of textbooks in medicine and any other circumstance or attribute which the Medical Licensing Board accepts as evidence that the applicant has outstanding and proven ability in any branch of medicine.

c) Each applicant currently licensed in another jurisdiction who applies to the Department for a license in Illinois as a chiropractic physician by endorsement must cause to be sent to the Department:
   1) A signed application on which all questions have been answered and all programs of chiropractic education attended by the applicant have been identified, including dates of attendance;
   2) An official transcript of the courses of instruction prerequisite to professional training in a college, university or other institution;
   3) An official transcript and copy of diploma or official transcript and certification of graduation from the medical education program granting the degree; the transcript shall indicate that the applicant has met the minimum chiropractic education requirements of the Act;
   4) Proof that the applicant is of good moral character and has not engaged in any conduct or activities which would constitute grounds for discipline under Section 22 of the Act. Applications of individuals who answer affirmatively to any question on the Personal History portion of the application or who have engaged in activities which would constitute grounds for discipline shall be forwarded to the Enforcement Division of the Department for further investigation and action by the Medical Licensing Board as provided in Section 9(B)(4) of the Act;
   5) Successful completion of Part I, Part II and Part III of the examination administered by the National Board of Chiropractic Examiners.
      A) The Medical Licensing Board may, in its discretion and in individual cases where the applicable conditions of Section 19 of the Act have not been satisfied, make a recommendation to the Director to require an applicant to successfully complete the Special Purposes Exam for Chiropractors (SPEC) ~~(SPEC)~~ or Part III of the examination administered by the National Board of Chiropractic Examiners;

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B) The Medical Licensing Board may recommend a waiver of Part III of the examination or the SPEC requirement. In making the recommendation, the Licensing Board shall consider the quality of the chiropractic education and practical experience, including, but not limited to, whether he/she is Board Certified in a specialty, has achieved special honors or awards, has had articles published in recognized and reputable journals, has written or participated in the writing of textbooks in chiropractic and any other circumstance or attribute which the Medical Licensing Board accepts as evidence that the applicant has outstanding and proven ability in chiropractic;

6) Certification from the jurisdiction of original and current licensure stating:

A) The date of issuance of the license; and

~~B) The basis of licensure and a description of the examination by which the applicant was licensed, if any;~~

~~C) Name and location of the college, university or other institution from which the applicant received his/her chiropractic education, type of degree and date degree was conferred; and~~

BB) Whether the records of the licensing authority contain any record of any disciplinary action taken or pending;

7) A complete work history since graduation from chiropractic school; and

8) The fee required by Section 21 of the Act.

d) Pursuant to Section 9.7 of the Act, the Department shall check the criminal background of each endorsement applicant through the Federation of State Medical Boards.

(Source: Amended at 24 Ill. Reg. 3620, effective FEB 15 2000)

Section 1285.90 Temporary Licenses

a) To allow for timely processing, an application for a Temporary License to pursue specialty/residency training shall be filed, on forms provided by the Department, at least 60 days prior to the commencement date of the training.

b) No application shall be considered complete unless it is signed by the applicant, all questions have been answered and it contains or is accompanied by:

1) Proof that the applicant is of good moral character and has not engaged in any conduct or activities which would constitute grounds for discipline under Section 22 of the Act. Applications of individuals who answer affirmatively to any question on the Personal History portion of the application or who have engaged in activities which would constitute grounds for discipline shall

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be forwarded to the Enforcement Division of the Department for further investigation and action by the Medical Licensing Board;~~,~~

2) An official transcript of a course of instruction in a college, university or other institution as required by Section 1285.20(a) of this Part;

3) An official transcript and diploma or official transcript and certification of graduation from the medical education program granting the degree which shall evidence that the applicant has met the minimum education requirements of the Act;

4) Certification on forms provided by the Department~~,~~ that the core clerkship rotations were completed in accordance with Section 1285.20 of this Part and current ECFMG certification as set forth in Section 1285.20(k) for those applicants applying under Section 11(A)(2)(a)(i) of the Act;

5) Proof that the applicant will be accepted or appointed to a position in a specialty/residency program which is approved by the Department, pursuant to the provisions of Section 1285.40 and the number of postgraduate years for which he has been accepted or appointed;

6) A statement identifying all medical education programs attended, including dates of attendance;

7) An original notarized English translation for any document submitted to the Department in a foreign language;

8) A complete work history since graduation from medical school;

9) The fee required by Section 21 of the Act;

10) Certification from the jurisdictions of original licensure and current licensure stating:

A) The date of issuance of the license; and

~~B) The basis of licensure and a description of the examination by which the applicant was licensed, if any;~~

~~C) Name and location of the college, university or other institution from which the applicant received medical education, type of degree and date degree was conferred; and~~

BB) Whether the records of the licensing authority contain any record of any disciplinary action taken or pending;

11) Documentation of clinical skills as set forth in Section 1285.95 of this Part and Section 11(A)(2)(a)(i) of the Act for applicants who graduated from medical school more than 5 years prior to the date of application.

c) Written notice of the Department's final action on every application for a temporary license shall be given to the applicant and hospital designated therein. If such application is approved pursuant to Section 17 of the Act and this Section, the temporary license shall be delivered or mailed to the hospital and shall be kept in the care and custody of such hospital. Any person not licensed to practice medicine in all of its branches in the State of Illinois who is enrolled in a clinical training program shall have had a Temporary License issued on his/her behalf to an approved program of training

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prior to the commencement of the training.

d) Commencement of the specialty/residency training program prior to the issuance of a temporary license shall be construed as the unlicensed practice of medicine.

e) A Temporary License shall be issued for a maximum of three years as provided in this Section. In no event shall a Temporary License be issued for less than one year except as provided in subsection (i) below or for any purpose other than a post-graduate specialty/residency program required for licensure under the Act.

f) No more than one Temporary License shall be issued to any person for the same period of time.

g) When a resident is dismissed or otherwise terminates the specialty/residency program, it shall be the responsibility of the staff of the program to notify the Department immediately, return the Temporary License to the Department and submit a written explanation to the Department indicating why the resident was dismissed or terminated. If the Temporary License has been lost or destroyed, the staff of the program shall submit a written explanation to the Department.

h) A Temporary License may be transferred from one program to another only upon the return of the Temporary License and receipt by the Department of a new application which contains a work history and a certificate of acceptance that the resident will be accepted or appointed to a specialty/residency position in an approved program. Requests for transfers shall be filed with the Department at least 60 days prior to the commencement date of the new program.

i) The Department shall allow a 14-day extension of the temporary license beyond the 3-year period without filing an extension application. In order to extend beyond the 14-day period, a new application shall be filed with the Department which contains:

1) a certificate of acceptance indicating that the resident has been accepted or appointed to a specialty/residency position in an approved program;
2) a work history; and
3) a letter from the residency program director advising why an extension is being requested; and~~.~~
4) the fee set forth in Section 21 of the Act.

j) Temporary licenses may be extended only when the applicant:

1) is serving full-time in the Armed Forces;
2) has an incapacitating illness as documented by a currently licensed physician;
3) provides proof of continuance of a residency training program in order to meet the remedial requirements for licensure set forth in Section 1285.60(a)(4); or
4) provides proof of continuance of a residency training program.

k) The Department shall issue Limited Temporary Licenses for no more than ~~six--(~~ 6~~)~~ months on behalf of individuals who apply, on forms provided by the Department, and submit evidence that:

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1) The applicant is enrolled in a postgraduate clinical training program which meets the requirements of Section 1285.40 outside of the State of Illinois;
2) The applicant has been accepted for a specific period of time to perform, under supervision, a portion of the clinical training at a clinical training program approved pursuant to the provisions of Section 1285.40 in the State of Illinois due to the absence of adequate facilities in another State;
3) The approved clinical training program in Illinois has assumed supervisory responsibility for the individual during the period specified on his/her application; and
4) the fee set forth in Section 21 of the Act.

l)~~4)~~ A Limited Temporary License may be extended only when the applicant:

A) is serving full-time in the Armed Forces;
B) has an incapacitating illness as documented by a currently licensed physician; or
C) provides proof of continuance of a residency training program as documented by the residency training program director.

m) When the accuracy of any submitted documentation or the relevance or sufficiency of the course work or experience is questioned by the Department or the Board because of lack of information, discrepancies or conflicts in information given or a need for clarification, the applicant seeking licensure shall be requested to:

1) Provide information as may be necessary; and/or
2) Appear for an interview before the Board to explain the relevance or sufficiency, clarify information or clear up any discrepancies or conflicts in information.

n)~~l)~~ Any individual who participates in any portion of a specialty/residency program without a Temporary license issued by the Department shall be considered to be involved in the unlicensed practice of medicine.

(Source: Amended at 24 Ill. Reg. 3620, effective FEB 15 2000)

Section 1285.100 Visiting Professor Permits

a) Any person not licensed in this State to practice medicine in all of its branches or as a chiropractic physician who has been appointed as a visiting professor at a program of medicine in this State must be the holder of a Visiting Professor Permit issued by the Department pursuant to the provisions of Section 18 of the Act.

b) An application for a Visiting Professor Permit shall be made on forms provided by the Department. The application shall include:

1) The name and location of the applicant's program of medicine, dates of attendance, date and type of degree conferred;
2) Certification from the jurisdiction of original licensure

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indicating:
A) The date of issuance and status of the license ~~licensure~~;
~~B) The method of licensure;~~
B)~~C)~~ Whether the records of the licensing authority contain any record of any disciplinary action or pending action; ~~The current status of the license;~~
3) Verification, signed by a dean of a program of medicine located in another jurisdiction, that the applicant was qualified and held professor status in the program;
4) Certification from the Dean of the program of medicine indicating:
A) That the entity has contracted with the applicant and the applicant has received a faculty appointment to teach in the program;
B) The nature of the educational services to be provided by the applicant;
C) The term of the contract;
5) A copy of the applicant's current curriculum vitae; and
6) The fee of $300.

c) In determining the need for the issuance of a Visiting Professor Permit, the Department, upon the recommendation of the Medical Licensing Board, shall consider the availability to the program of medicine of the services for which the Visiting Professor Permit is sought.

d) Written notice of the Department's final action on every application for a Visiting Professor Permit shall be given to the applicant and the program of medicine designated. When the application is approved the Visiting Professor Permit shall be delivered or mailed to the program of medicine. The applicant shall not commence the faculty appointment before the program receives written notification of the approval of the application.

e) A Visiting Professor Permit shall be valid for one ~~(1)~~ year and may be renewed only once for one year.

f) Application for renewal of a Visiting Professor Permit shall be made on forms supplied by the Department at least ~~sixty (~~ 60~~)~~ days prior to expiration of the permit. The application shall include:
1) Certification from the Dean of the program of medicine indicating the term of the renewal contract, not to exceed one year from the date of the original expiration date;
2) Certification from the jurisdiction of original licensure indicating the current status of the license; and
3) The fee of $300.

g) When any person on whose behalf a Visiting Professor Permit has been issued shall be discharged or shall terminate his/her faculty appointment, any certificate issued in the name of such person shall be null and void as of the date of discharge or termination. The program of medicine shall immediately deliver or mail by registered mail to the Department the Visiting Professor Permit and written notice of the reason for the return of the permit.

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h) Only one Visiting Professor Permit and one renewal shall be issued to an applicant. If, at the conclusion of the term of the faculty appointment for which the permit was issued, the holder of the permit desires to remain in the State and practice or teach his/her profession, he/she must apply for and receive a license to practice that profession.

i) Whenever a program of medicine is required to deliver or return a Visiting Professor Permit to the Department and that permit has been lost or destroyed or is for any other reason unavailable for return to the Department, the program of medicine shall immediately mail or deliver to the Department a written explanation concerning the inability to return the permit.

j) Nothing herein shall prohibit the holder of a Visiting Professor Permit from applying for and receiving a license to practice his/her profession in this State during the term of his/her faculty appointment. In the event the holder of a permit is issued a license to practice his/her profession in this State, upon receipt of the license, the permit shall become null and void and shall be returned to the Department pursuant to the provisions of subsection (g~~f~~) above.

(Source: Amended at 24 Ill. Reg. 3620, effective FEB 15 2000)

Section 1285.101 Visiting Physician Permits

a) Any person not licensed in this State to practice medicine in all of its branches or as a chiropractic physician who has received an invitation or appointment to study a specific medical, osteopathic, chiropractic or clinical subject or technique in a medical, osteopathic, or chiropractic school or hospital in this State must be the holder of a Visiting Physician Permit issued by the Department pursuant to the provisions of Section 18(B) of the Act.

b) An application for a Visiting Physician Permit shall be made on forms provided by the Department. The application shall include:
1) Certification from the jurisdiction of current licensure indicating the date of licensure and current status of the license;
2) Certification from the dean or program director of the school or hospital indicating:
A) That the person has received an invitation or appointment to study a specific clinical subject or technique;
B) The nature of the educational services to be provided to the applicant;
C) The term of the contact;
3) A copy of the applicant's current curriculum vitae; and
4) The fee of $100.

c) In determining the need for the issuance of a Visiting Physician

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Permit, the Department, upon the recommendation of the Medical Licensing Board, shall consider the availability to the program of medicine of the services for which the Visiting Physician Permit is sought.

d) Written notice of the Department's final action on every application for a Visiting Physician Permit shall be given to the applicant and/or the school or hospital designated. When the application is approved, the Visiting Physician Permit shall be delivered or mailed to the program of medicine. The applicant shall not commence the appointment before the program receives written notification from the Department of the approval of the application.

e) A Visiting Physician Permit shall be valid for 180 ~~120~~ days or until such time as the clinical studies or techniques are completed, whichever occurs first.

f) When the holder of a Visiting Physician Permit has been discharged or terminated from an appointment, any certificate issued in the name of the person shall be null and void as of the date of the discharge or termination. The school or hospital shall immediately deliver or mail by registered mail to the Department the Visiting Physician Permit and written notice of the reason for the return of the permit.

g) Only one Visiting Physician Permit shall be issued to an applicant. If, at the conclusion of the term of the appointment for which the permit was issued, the holder of the permit desires to remain in the State and practice or teach his/her profession, he/she must apply for and receive a license to practice medicine in all of its branches or as a chiropractic physician.

h) Whenever a program of medicine is required to deliver or return a Visiting Physician Permit to the Department and that permit has been lost or destroyed or is for any other reason unavailable for return to the Department, the program of medicine shall immediately mail or deliver to the Department a written explanation concerning the inability to return the permit.

i) Nothing shall prohibit the holder of a Visiting Physician Permit from applying for and receiving a license to practice his/her profession in this State during the term of the appointment. In the event the holder of a permit is issued a license to practice in this State, upon receipt of the license, the permit shall become null and void and shall be returned to the Department pursuant to the provisions of subsection (f) above.

j) A Limited Visiting Physician Permit will be issued by the Department to an out of state physician who has been requested to perform an emergency procedure in Illinois.

1) An individual seeking a Limited Visiting Physician Permit shall apply to the Department, on forms provided by the Department, and submit the following:
   A) Verification of licensure in another jurisdiction;
   B) A description of the emergency procedure to be performed;
   C) The exact date and location of the procedure;

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   D) The name and license number of the sponsoring physician who will be responsible for the applicant;
   E) Proof from the hospital that the applicant has approval from the facility to perform the procedure signed by the administrator of the hospital;
   F) A copy of an up to date curriculum vitae; and
   G) A fee of $25.

2) The permit will be issued for no more than 5 days. However, in extenuating circumstances, upon review by the Chairman of the Licensing Board or his/her designee, the permit may be extended.

3) The Department shall notify the Medical Licensing Board of the issuance of all Limited Visiting Physician Permits.

(Source: Amended at 24 Ill. Reg. 3620, effective FEB 15 2000)

Section 1285.105 Chiropractic Physician Preceptorship (Repealed)

~~a) Pursuant to Section 11.1 of the Act, a chiropractic college or a chiropractic physician shall file an application with the Department, on forms provided by the Department, along with the required fee set forth in Section 21(e)(12) of the Act, to register as a preceptorship program or as a preceptor, respectively.~~

~~1) In order to be an approved preceptor program, a chiropractic college shall:~~

~~A) be accredited by the Council on Chiropractic Education;~~

~~B) offer as a part of its curriculum a preceptorship program;~~

~~C) certify to the Department, on forms supplied by the Department, that all students who participate in the preceptorship program are in their last semester or quarter of their education and are eligible for graduation except for the preceptorship;~~

~~D) certify to the Department, on forms supplied by the Department, that all chiropractic physicians who participate as preceptors are faculty of the institution;~~

~~E) certify to the Department, on forms supplied by the Department, that an outline or description of the preceptor program has been developed with the preceptor chiropractic physician; and~~

~~F) provide to the Department on an annual basis a list of students eligible to participate in a preceptorship program and a list of chiropractic physicians to be utilized by the college as preceptors.~~

~~2) In order to be an approved preceptor, a chiropractic physician shall:~~

~~A) certify to the Department, on forms supplied by the Department:~~

~~i) current licensure in Illinois;~~

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~~ii) continuous--licensure--in-Illinois-for-3-years-or-more prior-to-functioning-as-a-preceptor;~~

~~iii) faculty--membership--at---an---approved---chiropractic college;~~

~~iv) that--malpractice--insurance-coverage-will-be-provided in-accordance-with-Section-11.1(c)(3)-of-the-Act;~~

~~v) that-a-location-and-schedule-for-the-practice--of--the chiropractic---student---has---been--provided--to--the satisfaction-of-the-chiropractic-college;~~

~~vi) that--an--outline--or--description--of--the--preceptor program--has--been---developed---with---the---approved chiropractic-college;~~

~~vii) that--there--have--been--no-sanctions-on-the-preceptor applicant's--chiropractic--license--in--the--last--two years;-and~~

~~viii) that-Section-11.1-of-the-Act-and--this--Section--have been-read-and-understood-by-the-preceptor-applicant.~~

~~B) provide-the-location-of-the-preceptor-program.~~

~~3) An---approved---preceptor---program--and--preceptor--chiropractic physician-shall-file--an--application--with--the--Department--and submit--the--registration-every-July-1-in-order-to-maintain-their approval-status.~~

~~b) No-student-in-a-preceptorship-program-shall-be-entitled-to--engage--in the--practice--of--chiropractic-in-this-State,-except-as-authorized-by Section--11.1--of--the--Act.---To--practice--chiropractic,--except--as authorized-by-Section-11.1-of-the-Act,-before-the-student--receives--a license-as-a-chiropractic-physician-shall-be-considered-the-unlicensed practice-of-chiropractic.~~

(Source: Repealed at 24 Ill. Reg. 3620, effective FEB 15 2000)

Section 1285.110 Continuing Medical Education (CME)

The Department shall promulgate rules of continuing education for persons licensed under the Act that require 150 50 hours of continuing education per license renewal cycle. each--year. These rules shall be consistent with requirements of relevant professional associations, specialty societies, or boards. The rules shall also address variances for illness or hardship. In establishing these rules, the Department shall consider educational requirements for medical staffs, requirements for specialty society board certification or for continuing education requirements as a condition of membership in societies representing the 2 categories of licensee (physicians licensed to practice medicine in all of its branches and chiropractic physicians) *under the Act. These rules shall assure, but not be limited to, that licensees are given the opportunity to participate in those programs sponsored by or through their professional associations or hospitals which are relevant to their practice. Each licensee is responsible for maintaining*

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records of completion of continuing education and shall be prepared to produce the records when requested by the Department. (Section 20 of the Act)

a) Continuing Medical Education Hours Requirements

1) For the July 31, 1999 renewal, a licensee will be required to complete 50 hours of continuing medical education (CME). The Department will accept CME taken on or after July 1, 1997. Beginning with the July 31, 2002 renewal and every renewal thereafter, in order to renew a license, a licensee shall be required to complete 50 hours of continuing medical education per year for a total of 150 hours per prerenewal period.

2) A prerenewal period is the 36 months preceding July 31 in the year of the renewal.

3) One CME hour shall equal one clock hour. After completion of the initial CME hour, credit may be given in one-half hour increments.

~~4) Continuing--medical--education-each-year-means-continuing-medical education-earned-in-a-calendar-year-or-from-July-31-to-July-31-of the-following-year.~~

4)~~5)~~ A renewal applicant shall not be required to comply with CME requirements for the first renewal of an Illinois license.

5)~~6)~~ Individuals licensed in Illinois but residing and practicing in other states shall comply with the CME requirements set forth in this Section.

6)~~7)~~ Continuing medical education credit hours used to satisfy the CME requirements of another jurisdiction may be applied to fulfill the CME requirements of the State of Illinois if the CME required by the other jurisdiction is consistent with the CME requirements set forth in this Section.

7)~~8)~~ The Department, upon recommendation of the Medical Licensing Board, will accept the American Medical Association Physician Recognition Award (AMA PRA) certificate awarded to physicians licensed to practice medicine in all of its branches as documentation of compliance with the 150 CME hours set forth in this Part. The hours shall be earned consistently with the prerenewal period set forth in subsection (a)(2).

8)~~9)~~ CME used to satisfy the requirements for renewal of a license may not be used to satisfy the CME requirements for another renewal period.

9)~~10)~~ The CME requirements set forth in this Section apply to both physicians licensed to practice medicine in all of its branches and chiropractic physicians licensed in Illinois.

b) Continuing Medical Education (CME) hours for both physicians licensed to practice medicine in all of its branches and chiropractic physicians licensed to treat human ailments without the use of drugs and without operative surgery in Illinois shall be earned by, but not limited to, verified attendance at (e.g., certificate of attendance or certificate of completion) or participation in a program or course (program) as follows:

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1) CME hours shall be earned as follows:
   A) A minimum of 60 hours ~~40%~~ of required CME ~~hours~~ shall be obtained in formal CME programs set forth in subsection (b)(2);
   B) A maximum of 90 hours ~~60%~~ of the required CME ~~hours~~ shall be obtained in informal CME programs or activities as set forth in subsection (b)(3).
2) Formal CME Programs:
   A) Formal programs conducted or endorsed by hospitals, specialty societies, facilities or other organizations approved to offer CME credit as set forth in subsection (c) below.
   B) Formal CME programs conducted by medical, chiropractic or osteopathic colleges, schools or education programs, including the Accreditation Council for Graduate Medical Education, the Council on Continuing Medical Education of the American Osteopathic Association or the Commission on Accreditation of the Council of Chiropractic Education schools, either to prepare individuals for licensure pursuant to the provisions of the Act or for postgraduate training.
   C) CME programs required for certification or recertification by specialty boards and professional associations.
   D) Activities which are given by sponsors approved in accordance with this Section:
      i) CME utilizing materials such as CD-ROMS, printed educational materials, audiotapes, video cassettes, films, slides and computer assisted instruction that provide a clear, concise statement of the educational objectives and indicate the intended audience. These programs shall also have a method of verifying physicians' participation;
      ii) Journal club activities;
      iii) Self-assessment activities; and
      iv) Journal-based CME.
3) Informal CME programs or activities shall consist of, but not be limited to, any of the following activities that the licensee must document including the dates and a brief description of the activity:
   A) Consultation with peers and experts concerning patients;
   B) Use of electronic databases in patient care;
   C) Small group discussions;
   D) Teaching health professionals;
   E) Medical writing;
   F) Teleconferences;
   G) Preceptorships;
   H) Participating in formal peer review and quality assurance activities;

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   I) Preparation of educational exhibits; and
   J) Journal reading.
c) CME Sponsors and Formal Programs
   1) Sponsor, as used in this Section, shall mean:
      A) For physicians licensed to practice medicine in all of its branches:
         i) Accreditation Council on Continuing Medical Education and organizations accredited by ACCME as sponsors of CME;
         ii) Illinois State Medical Society, or its affiliates;
         iii) Council on Continuing Medical Education for the American Osteopathic Association and the Illinois Osteopathic Medical Society or its affiliates;
         iv) Any other accredited school, college or university, State agency, or any other person, firm, or association that has been approved and authorized by the Department pursuant to subsection (c)(2) below to coordinate and present continuing medical education courses and programs in conjunction with this Section.
      B) For chiropractic physicians:
         i) Illinois Chiropractic Society, or its affiliates;
         ii) Illinois Prairie State Chiropractic Association, or its affiliates;
         iii) International Chiropractic Association, or its affiliates;
         iv) American Chiropractic Association, or its affiliates; or
         v) Any other accredited school, college or university, State agency, or any other person, firm, or association that has been approved and authorized by the Department pursuant to subsection (c)(2) below to coordinate and present continuing medical education courses and programs in conjunction with this Section.
      C) Physicians licensed to practice medicine in all of its branches or chiropractic physicians may earn CME hours from the sponsors set forth in subsections (c)(1)(A) and (B) above.
   2) An entity, not listed in subsections (c)(1)(A) and (B) above, seeking approval as a CME sponsor for formal programs shall submit an application, on forms supplied by the Department, along with a $2000 nonrefundable application fee. (State agencies, State colleges and State universities in Illinois shall be exempt from paying this fee.) The application shall include:
      A) Certification:
         i) That all programs offered by the sponsor for CME credit shall comply with the criteria in subsection (c)(3) below and all other criteria in this Section;
         ii) That the sponsor shall be responsible for verifying

completion of each program and provide a certificate of attendance as set forth in subsection (c)(9) below;

iii) That, upon request by the Department, the sponsor shall submit evidence (e.g., certificate of attendance or course material) as is necessary to establish compliance with this Section. Evidence shall be required when the Department has reason to believe that there is not full compliance with the statute and this Part and that this information is necessary to ensure compliance;

iv) That each sponsor shall submit to the Department written notice of program offerings, including program offerings of subcontractors, 30 days prior to course dates. Notice shall include the description, location, date and time of the program to be offered.

B) A copy of a sample program including course materials, syllabi and a list of faculty.

3) All formal programs shall:

A) Contribute to the advancement, extension and enhancement of the professional skills and scientific knowledge of the licensee;

B) Foster the enhancement of general or specialized practice and values;

C) Be developed and presented by persons with education and/or experience in the subject matter of the program;

D) Specify the course objectives, course content and teaching methods to be used; and

E) Specify the number of CME hours that may be applied to fulfilling the Illinois CME requirements for license renewal.

4) Each CME formal program shall provide a mechanism for evaluation of the program and instructor by the participants. The evaluation may be completed on-site immediately following the program presentation or an evaluation questionnaire may be distributed to participants to be completed and returned by mail. The sponsor and the instructor, together, shall review the evaluation outcome and revise subsequent programs accordingly.

5) An approved sponsor may subcontract with individuals and organizations to provide approved programs. All advertising, promotional materials, and certificates of attendance must identify the licensed sponsor and the sponsor's license number. The presenter of the program may also be identified, but should be identified as a presenter. When a licensed sponsor subcontracts with a presenter, the licensed sponsor retains all responsibility for attendance, providing certificates of attendance and ensuring the program meets all of the criteria established by the Act and this Part, including the maintenance of records.

6) To maintain approval as a sponsor, each shall submit to the Department by July 31 in the year of renewal a renewal application, a $2000 fee and a list of courses and programs offered within the last 36 months. The list shall include a brief description, location, date and time of each course given by the sponsor and by any subcontractor.

7) Certification of Attendance. It shall be the responsibility of a sponsor to provide each participant in a program with a certificate of attendance or participation. The sponsor's certificate of attendance shall contain:

A) The name, address and license number of the sponsor;

B) The name and address of the participant;

C) A brief statement of the subject matter;

D) The number of hours attended in each program;

E) The date and place of the program; and

F) The signature of the sponsor.

8) The sponsor shall maintain attendance records for not less than 5 years.

9) The sponsor shall be responsible for assuring that no renewal applicant shall receive CME credit for nonparticipation in a program.

10) Upon the failure of a sponsor to comply with any of the preceding requirements of this Section, the Department, after notice to the sponsor and hearing before and recommendation by the Board (see 68 Ill. Adm. Code 1110), shall thereafter refuse to accept for CME credit attendance at or participation in any of that sponsor's CME programs until such time as the Department receives assurances of compliance with this Section.

11) Notwithstanding any other provision of this Section, the Department or Board may evaluate any sponsor of any approved CME program at any time to ensure compliance with requirements of this Section.

d) Certification of Compliance with CME Requirements

1) Each renewal applicant shall certify, on the renewal application, full compliance with the CME requirements set forth in subsections (a) and (b) above.

2) The Department may require additional evidence demonstrating compliance with the CME requirements (e.g., certificate of attendance). This additional evidence shall be required in the context of the Department's random audit. It is the responsibility of each renewal applicant to retain or otherwise produce evidence of compliance.

3) When there appears to be a lack of compliance with CME requirements, an applicant shall be notified in writing and may request an interview with the Licensing Board. At that time the Licensing Board may recommend that steps be taken to begin formal disciplinary proceedings as required by Section 10-65 of the Illinois Administrative Procedure Act [5 ILCS 100/10-65].

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4) The Department shall conduct a random audit to verify compliance with the CME requirements.

e) Continuing Medical Education Earned in Other Jurisdictions

1) If a licensee has earned or is seeking formal CME hours offered in another jurisdiction not given by an approved sponsor for which the licensee will be claiming credit toward full compliance in Illinois, the applicant shall submit an individual program approval request form, along with a $25 processing fee, prior to participation in the program or within 90 days prior to expiration of the license. The Licensing Board shall review and recommend approval or disapproval of the program using the criteria set forth in subsection (c)(3) of this Section.

2) If a licensee fails to submit an out of state CME approval form within the required time frame, late approval may be obtained by submitting the approval request form with the $25 processing fee plus a $100 per hour of CME late fee not to exceed $500. The Licensing Board shall review and recommend approval or disapproval of the program using the criteria set forth in subsection (c)(3) of this Section.

f) Restoration of Nonrenewed License. Upon satisfactory evidence of compliance with CME requirements, the Department shall restore the license upon payment of the required fee as provided in Section 21(e) ~~13(4) and~~ (5) of the Act.

g) Waiver of CME Requirements

1) Any renewal applicant seeking renewal of a license without having fully complied with these CME requirements shall file with the Department a renewal application along with the required fee set forth in Section 21(e)(4) ~~13(3)~~ of the Act, a statement setting forth the facts concerning non-compliance and a request for waiver of the CME requirements on the basis of these facts. A request for waiver shall be made prior to the renewal date. If the Department, upon the written recommendation of the Licensing Board, finds from such affidavit or any other evidence submitted that extreme hardship has been shown for granting a waiver, the Department shall waive enforcement of CME requirements for the renewal period for which the applicant has applied.

2) Hardship shall be determined on an individual basis by the Board and be defined as an inability to devote sufficient hours to fulfilling the CME requirements during the applicable prerenewal period because of:

A) Full-time service in the armed forces of the United States of America during a substantial part of the prerenewal period;

B) An incapacitating illness documented by a statement from a currently licensed physician;

C) Undue hardship (prolonged hospitalization, family illness); or

D) Any other similar extenuating circumstances.

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3) Any renewal applicant who, prior to the expiration date of the license, submits a request for a waiver, in whole or in part, pursuant to the provisions of this Section shall be deemed to be in good standing until the final decision on the application is made by the Department.

(Source: Amended at 24 Ill. Reg. 3620, effective FEB 15 2000)

Section 1285.120 Renewals

a) Every license issued under the Act shall expire on July 31, 1990, and every third year thereafter. For the July 31, 1999 renewal, a licensee shall complete 50 hours of CME in accordance with Section 1285.110 of this Part. Thereafter, a licensee will be required to complete 150 hours in accordance with Section 1285.110 of this Part in order to renew the license. The holder of a license may renew such license during the month preceding the expiration date thereof by paying the required fee stated in Section 21(e)(5) of the Act.

b) It is the responsibility of each licensee to notify the Department of any change of address. Failure to receive a renewal form from the Department shall not constitute an excuse for failure to pay the renewal fee and to renew the license in a timely manner.

c) Practicing or operating on a license which has expired shall be considered unlicensed activity and shall be grounds for discipline pursuant to Section 22 of the Act.

d) Any licensee applying for renewal shall be entitled to a hearing in accordance with 68 111. Adm. Code 1110 prior to refusal of any renewal or any disciplinary action being taken by the Department against the licensee.

(Source: Amended at 24 Ill. Reg. 3620, effective FEB 15 2000)

Section 1285.130 Restoration and Inactive Status

a) A licensee seeking restoration of his license which has expired for ~~less than three~~ 3 years or less shall have a ~~his~~ license restored upon payment of all lapsed renewal fees required by Section 21 of the Act and proof of completion of 150 hours of continuing education in accordance with Section 1285.110.

b) A licensee seeking restoration of a ~~his~~ license which has been placed on inactive status for ~~less than three~~ 3 years or less shall have his license restored upon payment of the current renewal fee and the continuing education requirements for the last renewal period.

c) A licensee seeking restoration of a ~~his~~ license after it has expired or been placed on inactive status for more than ~~three~~ 3 years shall file an application, on forms supplied by the Department, together

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with the fee required by Section 21 of the Act. The licensee shall also submit one or more of the following:

1) Sworn evidence of active practice in another jurisdiction. Such evidence shall include a statement from the appropriate board or licensing authority in the other jurisdiction that the licensee was authorized to practice during the term of ~~said~~ active practice.~~,~~
2) An affidavit attesting to military service as provided in Section 21 of the Act.~~,~~
3) Proof of successful completion (evidenced by Certification of Clinical Training) of an approved specialty residency program of at least twelve months in length within three years from the date of application.
4) Proof of completion evidenced by Certification of Medical Education of a course of study of at least 960 classroom hours (one academic year) which includes no more than 25 clock hours of basic sciences and 40 clock hours of clinical sciences in a college approved by the Department under the Act within 3 ~~three~~ years from the date of application.
5) Successful completion of the Special Purpose Examination (SPEX) or the Comprehensive Osteopathic Medical Special Purpose Examination for the United States of America (COMSPEX-USA) within 3 ~~three~~ years from the date of application. To be successful an applicant must receive a score of 75 or better.
6) For individuals applying for a chiropractic license, proof of completion of 960 classroom hours (academic hours) in an accredited chiropractic program within 3 ~~three~~ years from the date of application or the Special Examination for Chiropractic (SPEC) or its equivalent as approved by the Board.

d) When the accuracy of any submitted documentation, or the relevance or sufficiency of the course work or experience is reasonably questioned by the Department because of discrepancies or conflicts in information, information needing further clarification, and/or missing information, the licensee seeking restoration of a ~~his~~ license will be requested to:
   1) provide such information as may be necessary~~,~~ and/or
   2) explain such relevance or sufficiency during an oral interview; or
   3) appear for an oral interview before the Medical Licensing Board designed to determine the individual's current competency to practice under the Act. Upon the recommendation of the Medical Licensing Board, an applicant shall have his license restored.
e) Placement of a license into an inactive status does not preclude the Department from proceeding with any action pursuant to Section 22 of the Act.

(Source: Amended at 24 Ill. Reg. 3620 ~~,~~ effective FEB 15 2000)

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Section 1285.140 Granting Variances

a) The Director may grant variances from this Part ~~these rules~~ in individual cases where he/she finds that:
   1) the provision from which the variance is granted is not statutorily mandated;
   2) no party will be injured by the granting of the variance; and
   3) the rule from which the variance is granted would, in the particular case, be unreasonable or unnecessarily burdensome.
b) The Director shall notify the Medical Licensing Board of the granting of such variance, and the reasons therefor, at the next meeting of the Licensing Board.

(Source: Amended at 24 Ill. Reg. 3620 ~~,~~ effective FEB 15 2000)

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1) Heading of the Part: Optometric Practice Act of 1987

2) Code Citation: 68 Ill. Adm. Code 1320

3)

Section Numbers:	Adopted Action:
1320.20	Amendment
1320.30	Amendment
1320.50	Amendment
1320.70	Amendment
1320.80	Amendment
1320.90	Amendment
1320.100	Amendment
1320.200	Amendment
1320.220	Amendment
1320.230	Amendment
1320.240	Amendment
1320.250	Amendment
1320.300	Amendment
1320.310	Amendment
1320.320	Amendment
1320.340	Amendment
1320.350	Amendment

4) Statutory Authority: Illinois Optometric Practice Act of 1987 [225 ILCS 80]

5) Effective Date of Amendments: February 15, 2000

6) Does this rulemaking contain an automatic repeal date? No

7) Do these amendments contain incorporations by reference? No

8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.

9) Date Notice of Proposal Published in Illinois Register: November 5, 1999, at 23 Ill. Reg. 13359

10) Has JCAR issued a Statement of Objection to these amendments? No

11) Differences between proposal and final version: In Section 1300.70, the number of hours of continuing education required to restore a license was changed from 30 to 24 in the 2 years preceding restoration.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

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13) Will these amendments replace emergency amendments currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Amendments: This rulemaking implements Public Act 91-141 to clarify that vision screening conducted by charitable organizations shall be conducted without a fee and to require all applicants, not just new graduates, to apply for and be qualified to receive certification to use diagnostic and therapeutic ocular pharmaceuticals. Section 1320.40 no longer requires endorsement applicants to supply a copy of another state's acts and rules in effect at the time of original licensure, although the Department retains the ability to require it if questions arise. Section 1320.70 reduces the required continuing education for restoration of a license to a total of 24 hours rather than 24 hours for each 2-year period the license was not active. Section 1320.310 removes the requirement that the 30-hour therapeutic ocular pharmaceutical course must be taught by medical faculty. Various technical and clean-up changes have also been made.

16) Information and questions regarding these adopted amendments shall be directed to:

Department of Professional Regulation
Jean Courtney
320 West Washington, 3rd Floor
Springfield, Illinois 62786
217/785-0813 Fax: 217/782-7645

The full text of the adopted amendments begins on the next page:

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TITLE 68: PROFESSIONS AND OCCUPATIONS
CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION
SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS

PART 1320
OPTOMETRIC PRACTICE ACT OF 1987

SUBPART A: OPTOMETRY

Section
1320.20 Approved Programs of Optometry
1320.30 Application for Licensure
1320.40 Examinations
1320.45 Fees (Emergency Expired)
1320.50 Endorsement
1320.55 Renewals (Renumbered)
1320.60 Inactive Status
1320.70 Restoration
1320.80 Continuing Education
1320.90 Minimum Eye Examination
1320.95 Minimum Equipment List
1320.100 Practice of Optometry
1320.110 Advertising
1320.120 Granting Variances (Renumbered)

SUBPART B: DIAGNOSTIC TOPICAL OCULAR PHARMACEUTICALS

Section
1320.200 Standards
1320.210 Application for Diagnostic Certification
1320.220 Approved Diagnostic Topical Ocular Pharmacological Training
1320.230 Approved Diagnostic Topical Ocular Pharmaceutical Agents Pursuant to Section 15.1 of the Act
1320.240 Restoration of Diagnostic Certification
1320.250 Endorsement of Diagnostic Certification
1320.260 Renewal of Certification (Repealed)
1320.270 Display of Certification (Repealed)

SUBPART C: THERAPEUTIC OCULAR PHARMACEUTICAL AGENTS

Section
1320.300 Definitions and Standards
1320.310 Application for Therapeutic Certification
1320.315 Controlled Substance License Requirement
1320.320 Approved Therapeutic Ocular Training
1320.330 Approved Therapeutic Ocular Pharmaceutical Agents Pursuant to Section 15.1 of the Act
1320.340 Restoration of Therapeutic Certification

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1320.350 Endorsement of Therapeutic Certification

SUBPART D: GENERAL

Section
1320.400 Fees
1320.410 Ancillary Licenses
1320.420 Renewals
1320.430 Granting Variances

AUTHORITY: Implementing the Illinois Optometric Practice Act of 1987 [225 ILCS 80] and authorized by Section 60(7) of the Civil Administrative Code of Illinois [20 ILCS 2105/60(7)].

SOURCE: Adopted at 5 Ill. Reg. 5869, effective June 1, 1981; codified at 5 Ill. Reg. 11046; emergency amendment at 6 Ill. Reg. 916, effective January 6, 1982, for a maximum of 150 days; emergency amendment at 6 Ill. Reg. 2273, effective January 29, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 7448, effective June 15, 1982; amended at 6 Ill. Reg. 10032, effective August 1, 1982; amended at 9 Ill. Reg. 1092, effective January 11, 1985; amended at 10 Ill. Reg. 7340, effective April 16, 1986; transferred from Chapter I, 68 Ill. Adm. Code 320 (Department of Registration and Education) to Chapter VII, 68 Ill. Adm. Code 1320 (Department of Professional Regulation) pursuant to P.A. 85-225, effective January 1, 1988, at 12 Ill. Reg. 1821; emergency amendment at 12 Ill. Reg. 1925, effective January 1, 1988, for a maximum of 150 days; emergency expired May 30, 1988; amended at 12 Ill. Reg. 11447, effective June 27, 1988; amended at 13 Ill. Reg. 6994, effective April 25, 1989; amended at 14 Ill. Reg. 14128, effective August 15, 1990; amended at 17 Ill. Reg. 18096, effective October 4, 1993; amended at 17 Ill. Reg. 21501, effective December 1, 1993; amended at 19 Ill. Reg. 17150, effective December 19, 1995; amended at 20 Ill. Reg. 9068, effective July 1, 1996; amended at 21 Ill. Reg. 16040, effective November 24, 1997; amended at 23 Ill. Reg. 5744, effective April 30, 1999; amended at 24 Ill. Reg. 3656, effective FEB 15 2000.

SUBPART A: OPTOMETRY

Section 1320.20 Approved Programs of Optometry

a) The Department of Professional Regulation (the Department) shall, upon the recommendation of the Illinois Optometric Licensing and Disciplinary Committee (the Committee), approve an optometry program if it meets the following minimum criteria:
   1) The educational institution is legally recognized and authorized by the jurisdiction in which it is located to confer the Doctor of Optometry degree.
   2) Has a faculty that comprises a sufficient number of full-time instructors to make certain that the educational obligations to the students are fulfilled. The faculty must have demonstrated

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competence in their area of teaching as evidenced by appropriate degrees from professional colleges or institutions.

3) Has a curriculum of at least the following subject areas:
Basic Science, including Anatomy, Physiology and Biochemistry
~~Psychological Optics~~
Practical Optics
Anatomy and Physiology of the Eye
Pathology of the Eye
Physiological Optics
Theoretical Optometry
Practical Optometry
Clinical Optometry
Theory and Practice of Contact Lens
Fitting
Pharmacology
Diagnosis, treatment and management of ocular disease and recognition of systemic diseases with ocular symptoms

4) Has a course of study of 4 academic years above the undergraduate level.

5) Maintains permanent student records that summarize the credentials for admission, attendance, grades and other records of performance.

b) In determining whether a school or college should be approved, the Department shall take into consideration but not be bound by accreditation by the Council on Optometric Education.

c) Procedures taught in schools and colleges of optometry approved by the Department that are considered for approval in the practice of optometry shall be adopted pursuant to rule or regulation by the Department upon recommendation of the Committee. Before adoption of such rules or regulations, the Committee shall first evaluate the procedure in accordance with criteria it has previously adopted. Furthermore, the Committee shall specify training and demonstration of competency required before an optometrist may perform such procedures. In any event, the Department, upon recommendation of the Committee, has determined that surgery, including surgery performed with a laser, is not an optometric procedure.

d) Program Evaluation

1) An applicant from an optometry program that has not been evaluated will be requested by the Department to provide documentation concerning the criteria in this Section.

2) Once the Department has received the documentation or after 6 months have elapsed from the date of application, whichever comes first, the Committee will evaluate the program based on all documentation received from the school and any additional information the Department has received which it deems to be reliable.

e) Withdrawal of Approval

1) The Director may, upon a written recommendation submitted by the Committee, withdraw, suspend or place on probation the approval of an optometry program when the quality of the program has been materially affected by any of the following causes:

A) Gross or repeated violations of any provision of the Illinois Optometric Practice Act of 1987 [225 ILCS 80] (the Act);

B) Gross or repeated violations of any of this Part;

C) Fraud or dishonesty in furnishing documentation for evaluation of the optometry program; or

D) Failure to continue to meet the established criteria of an approved optometry program as set out in this Section.

2) An optometry program whose approval is being reconsidered by the Department shall be given written notice prior to any recommendation by the Committee and the officials in charge may either submit written comments or request a hearing before the Committee in accordance with 68 Ill. Adm. Code 1110.

f) The Department, upon the recommendation of the Committee, has determined that optometry programs accredited by the Council on Optometric Education as of January 1, 1996, meet the minimum criteria set forth in subsection (a) above and are, therefore, approved.

(Source: Amended at 24 Ill. Reg. 3656, effective FEB 15 2000)

Section 1320.30 Application for Licensure

a) An individual applying for a license to practice optometry shall file an application on forms supplied by the Department. The application shall include:

1) Certification of graduation from a 4-year optometry graduate level program approved by the Department in accordance with Section 1320.20;

2) Certification of passage of the National Board of Examiners in Optometry (NBEO) examinations as set forth in Section 1320.40. The applicant shall have the examination scores submitted to the Department directly from NBEO;

3) A complete work history since graduation from an optometry program;

4) Certification of licensure from all United States jurisdictions in which the applicant has ever been licensed, if applicable, stating:

A) The time during which the applicant was licensed in that jurisdiction, including the date of original issuance of the license;

B) A description of the licensure examination in that jurisdiction;

C) Whether the file on the applicant contains any record of disciplinary actions taken or pending; and

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5) The required fee set forth in Section 1320.400 of this Part.

b) Individuals applying for an initial ~~original~~ optometry license in Illinois ~~after January 1, 1996~~ shall also be required to apply for and maintain certification for use of diagnostic topical ocular pharmaceutical agents in accordance with Subpart B and therapeutic ocular pharmaceutical agents in accordance with Subpart C.

(Source: Amended at 24 Ill. Reg. 3656, effective FEB 15 2000)

Section 1320.50 Endorsement

a) An applicant who is licensed under the laws of another jurisdiction shall file an application with the Department together with:
   1) Certification of graduation from an optometry program approved by the Department in accordance with Section 1320.20;
   2) Certification of licensure from all jurisdictions in which the applicant has ever been licensed, stating:
      A) The time during which the applicant was licensed in that jurisdiction, including the date of the original issuance of the license;
      B) A description of the licensure examination in that jurisdiction;
      C) Whether the records of the licensing entity contains any record of disciplinary actions taken or pending against the applicant;
   ~~3) A copy of the acts and rules in effect at the time of original licensure;~~
   3)~~4)~~ Certification of passage of Part I and Part II, including passage of the Treatment and Management of Ocular Disease (TMOD) section after January 1, 1996, of the National Board of Examiners in Optometry (NBEO) examination, by NBEO standards;
   4)~~5)~~ Certification of passage of Part III of the examination administered by NBEO, by NBEO standards, or a comprehensive practical examination administered in another jurisdiction equivalent to the comprehensive practical examination administered by the Department prior to July 1991;
   5)~~6)~~ A complete work history since graduation from an optometry program; and
   6)~~7)~~ The required fee as set forth in Section 1320.400.

b) The Department shall examine each endorsement application to determine whether the requirements in the jurisdiction at the date of licensure were substantially equivalent to the requirements then in force in this State. The applicant may be required to submit a copy of the Act and rules in effect at the time of original licensure. If an applicant has taken a licensure examination other than Part I and Part II of the National Board prior to 1970, the examination and results will be required by the Committee to determine that substantially

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equivalent requirements have been met. The Department shall within a reasonable time either issue a license by endorsement to the applicant or notify him/her of the reasons for the denial of the application.

c) The Department may, in individual cases, upon recommendation of the Committee, in accordance with Section 12 ~~11~~ of the Act, waive the comprehensive practical examination for an applicant for endorsement, after full consideration of his/her optometric education, training and experience, including, but not limited to, whether he/she has achieved special honors or awards, has had articles published in professional journals, has participated in writing textbooks relating to optometry, and any other attribute which the Committee accepts as evidence that such applicant has outstanding and proven ability in optometry.

(Source: Amended at 24 Ill. Reg. 3656, effective FEB 15 2000)

Section 1320.70 Restoration

a) A licensee seeking restoration of a license after it has expired or been placed on inactive status for more than 3 years shall file an application, on forms supplied by the Department, together with:
   1) Proof of completion of 24 ~~the required number of~~ continuing education (CE) hours during the 2 years prior to restoration ~~for all prerenewal periods for which the license was expired or on inactive status as specified~~ in accordance with Section 1320.80 of this Part. Acceptable proof of completion shall be in the form of certificates of attendance provided by sponsors of approved continuing education programs; and
   2) The proper fees, either:
      A) The restoration fee(s), when restoring an expired license, specified in Section 1320.400(c)(1) of this Part; or
      B) The renewal fee(s), when restoring an inactive license, specified in Section 1320.400(b)(1) of this Part.

b) In addition to satisfying the requirements of subsection (a) above, the licensee shall also submit either:
   1) Sworn evidence of active practice in another jurisdiction. The evidence shall include a statement from the appropriate board or licensing authority in the other jurisdiction that the licensee was authorized to practice during the term of said active practice;
   2) An affidavit attesting to military service as provided in Section 16 of the Act. If application is made within 2 years of discharge, and if all other provisions of Section 16 of the Act are satisfied, the applicant will not be required to pay a restoration fee or any lapsed renewal fees;
   3) Evidence of other education or experience acceptable to the Department of the licensee's fitness to have the certificate restored. Such evidence shall be reviewed on a case by case

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basis by the Committee; or

4) Certification of passage of Part III of the examination administered by NBEO, by NBEO standards. The Committee may, in its discretion and in individual cases, make a recommendation to the Director for the waiver of the clinical skills examination or Part III of the examination in accordance with Section 11 of the Act based on quality of education, training and experience including, but not limited to, special honors and awards, articles published in optometry journals, writing or participation in the writing of textbooks in optometry or any other circumstances or attribute which the Committee accepts as evidence that such applicant has outstanding and proven ability in optometry.

c) A licensee seeking restoration of a license that has expired or been on inactive status for less than 3 years, or has been placed in nonrenewed status for failure to comply with continuing education (CE) requirements shall file an application on forms provided by the Department, together with:

1) Proof of completion of 24 ~~the required number of~~ continuing education (CE) hours during the 2 years prior to restoration ~~for all prerenewal periods for which the license was on inactive status as specified~~ in accordance with Section 1320.80 of this Part. Acceptable proof of completion shall be in the form of certificates of attendance provided by sponsors of approved continuing education programs; and

2) The restoration fee(s) specified in Section 1320.400 of this Part. For the purpose of restoring from inactive status the Department shall consider that no renewal fees have lapsed during the period of inactive status.

d) Any person seeking restoration of a license within 2 years after discharge from military service pursuant to Section 12 of the Act will be required to pay only the current renewal fee and will not be required to submit proof of meeting the continuing education requirements.

e)~~d)~~ When the accuracy of any submitted documentation or the relevance or sufficiency of the course work or experience is reasonably questioned by the Department because of a lack of information, discrepancies or conflicts in information given, or a need for clarification, the licensee seeking restoration of the license will be requested to:

1) Provide such information as may be necessary; and/or

2) Appear for interview(s) before the Committee when the information available to the Committee is insufficient to evaluate the individual's current competency to practice under the Act. Upon the recommendation of the Committee, and approval by the Department, an applicant shall have the license restored.

(Source: Amended at 24 Ill. Reg. 3656, effective FEB 15 2000)

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Section 1320.80 Continuing Education

a) Continuing Education Hour Requirements

1) Every renewal applicant shall complete 24 hours of Continuing Education (CE) relevant to the practice of optometry required during each prerenewal period. A prerenewal period is the 24 months preceding March 31 in the year of the renewal. For the March 31, 1998 renewal and every renewal thereafter, optometrists who hold certification for therapeutic ocular pharmaceuticals shall, in addition to the 24 hours of CE, complete 6 hours of certified CE in the treatment of ocular disease during the prerenewal period as set forth in subsection (b)(3).

2) A CE hour equals 50 minutes. After completion of the initial CE hour, credit may be given in one-half hour increments.

3) A renewal applicant is not required to comply with CE requirements for the first renewal following the original issuance of the license.

4) Optometrists licensed in Illinois but residing and practicing in other states must comply with the CE requirements set forth in this Section.

b) Approved Continuing Education

1) All continuing education hours must be earned by verified attendance at or participation in a program which is offered by an approved continuing education sponsor who meets the requirements set forth in subsection (c).

2) For the March 31, 1992, renewal and every renewal thereafter, as part of the 24 hours of required continuing education, each licensee shall complete during each prerenewal period at least 6 hours of credit which is certified by an approved optometry college in accordance with Section 1320.20 of this Part, osteopathic or medical college or university pursuant to the Medical Practice Act of 1987 [225 ILCS 60], or a pharmacy college pursuant to the Pharmacy Practice Act [225 ILCS 85].

A) Each certified course shall include at least 2 hours of actual course presentation and shall include the successful completion of a post-course evaluation of the attendee's understanding of the course material. No ~~A maximum of one half hour~~ additional credit may ~~will~~ be given for the required post course evaluation.

i) The post-course evaluation may be taken on-site immediately following the course presentation. An examination distributed on-site shall not be removed from the site.

ii) The post-course evaluation may be a correspondence evaluation mailed to the attendee and returned to the provider. The sponsor shall not distribute a post-course evaluation at the site.

iii) At the sponsor's discretion, the attendee may be

allowed one retake of a failed post-course evaluation in order to receive credit as certified continuing education.

B) Licensees who attend a certified education course without passage of a post-course evaluation may apply actual course hours toward fulfillment of the additional continuing education requirements as set forth in subsections (b)(1) and (b)(3).

C) Any approved continuing education sponsor may offer, in conjunction with the above-referenced college or university, a certified course. Effective April 1, 1996, certified continuing education shall not be provided, sponsored, co-sponsored or in any way be supported or financially underwritten by a CE sponsor or others who receive patient referrals from those in attendance. Approved optometry programs ~~institutions~~ in subsection (b)(2) are not deemed in violation of this Section. Nothing in this Section shall prohibit the listing of courses in a professional journal or newsletter.

D) Transcript quality continuing education courses shall be deemed equivalent to the certified courses if they meet the requirements set forth in subsection (b)(2)(A) above.

E) Continuing education sponsors shall state in their course materials the type of post-course evaluation which will be given and whether the applicant will be allowed to retake the evaluation.

F) Certified continuing education courses shall be courses in which the attendees are in actual attendance. No self instruction or correspondence courses shall be considered certified continuing education courses.

3) Six hours of certified CE courses in the treatment of ocular disease are required for licensees who are certified for therapeutic ocular pharmaceuticals in addition to the 24 CE hours required to renew an optometry license.

~~A) For the period ending March 31, 1998, a minimum of 2 hours shall be in the study of glaucoma.~~

A)~~B)~~ The certified therapeutic CE courses shall meet the same requirements set forth in subsection (b)(2) above.

B)~~C)~~ An optometrist who has completed the 120 hour therapeutic training set forth in Section 1320.300 during the prerenewal period will be considered to have met the CE requirements for that renewal period.

4) Eighteen hours of CE credit may be earned as follows (not accepted for certified CE):

A) A maximum of 12 hours per prerenewal period for papers prepared and delivered before recognized optometric organizations, papers published in nationally recognized optometric journals, or a chapter in a book of optometry,

each appropriately verified.

B) A maximum of 12 hours per prerenewal period for verified teaching of students at an optometry school approved by the Department, or practicing optometrists in CE programs approved by the Department. One hour of teaching at an optometry school approved by the Department is equal to one hour of continuing education.

C) A maximum of 2 hours per prerenewal period for verified self-instruction that is sponsored or cosponsored by any previously approved optometry college, institution or national, state or local optometry association.

D) A maximum of 4 hours per prerenewal period for courses in practice management which includes business management.

E) A maximum of 2 hours of continuing education in cardiopulmonary resuscitation certified by the American Red Cross, American Heart Association, an Illinois licensed hospital or an approved medical or optometric institution may be earned per prerenewal period.

5) For only one prerenewal period for the duration of an optometry license in Illinois, a licensee may take a 4 hour certified continuing education course in cardiopulmonary resuscitation to satisfy 4 of the 6 hours of certified continuing education required in subsection (b)(2) above.

6) Continuing education credit hours used to satisfy the CE requirements of another state may be submitted for approval for fulfillment of the CE requirements of the State of Illinois.

7) Credit shall not be given for courses taken in Illinois from unapproved sponsors.

c) Continuing Education Sponsors and Programs

1) Sponsor, as used in this Section, shall mean a person, firm, association, corporation, or any other group that has been approved and authorized by the Department upon the recommendation of the Optometric Licensing and Disciplinary Board to coordinate and present continuing education courses or programs.

2) A sponsor shall file a sponsor application, along with the required fee set forth in Section 1320.400(a)(6), which includes:

A) Certification:

i) That all courses and programs offered by the sponsor for CE credit will comply with the criteria in this Section;

ii) That the sponsor will be responsible for verifying attendance at each course or program and for providing a certificate of completion as set forth in subsection (b);

iii) That, upon request by the Department, the sponsor will submit such evidence as is necessary to establish compliance with this Section; ~~Such evidence shall be required when the Department has reason to believe~~

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~~that there is not full compliance with the statute and this Part and that this information is necessary to ensure compliance;~~

iv) That each sponsor shall submit to the Department a written notice of a course offering 30 days prior to the course date. The notice shall include the description, location, date and time of the course to be offered;

B) A history and the experience of the sponsor as an educational provider;

C) A copy of a sample program with faculty, course materials and syllabi;

D) The name and address of the contact person responsible for all recordkeeping; and

E) A list of all principals of the organization applying for a sponsor license.

3) Each sponsor shall submit by March 31 of each even numbered year a sponsor application along with the required fee set forth in Section 1320.400(b)(3) of this Part. With the application the sponsor shall be required to submit to the Department a list of all courses and programs offered in the prerenewal period, which includes a description, location, date and time the course was offered.

4) All courses and programs shall:

A) Contribute to the advancement, extension and enhancement of professional clinical skills and scientific knowledge in the practice of optometry;

B) Provide experiences that contain scientific integrity, relevant subject matter and course materials; and

C) Be developed and presented by persons with education and/or experience in subject matter of the program.

5) The tuition fees charged for programs conducted by approved sponsors shall be reasonable and directly related to the sponsor's actual expense in conducting the programs.

6) All programs given by approved sponsors shall be open to all licensed optometrists and not be limited to the members of a single organization or group and shall specify the number of CE hours and categories that may be applied toward Illinois CE requirements for licensure renewal.

7) Certificate of Attendance

A) It shall be the responsibility of the sponsor to provide each participant in a program with a certificate of attendance signed by the sponsor. The sponsor's certificate of attendance shall contain:

i) The name, sponsor number and address of the sponsor;

ii) The name of the participant and his/her optometry license number;

iii) A detailed statement of the subject matter;

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iv) The number of hours actually attended in each topic;

v) The date of the program;

vi) Whether the course qualifies for certified continuing education and if the post-course evaluation was passed or failed.

B) The sponsor shall maintain these records for not less than 5 years. These records shall include all test materials utilized for certified courses.

8) The sponsor shall be responsible for assuring verified continued attendance at each program. No renewal applicant shall receive CE credit for time not actually spent attending the program.

9) Upon the failure of a sponsor to comply with any of the foregoing requirements, the Department, after notice to the sponsor and hearing before and recommendation by the Board (see 68 Ill. Adm. Code 1110), shall thereafter refuse to accept for CE credit attendance at or participation in any of that sponsor's CE programs until such time as the Department receives reasonably satisfactory assurances of compliance with this Section.

d) Continuing Education Earned in Other States

1) If a licensee has earned CE hours in another jurisdiction for which he/she will be claiming credit toward full compliance in Illinois, the applicant shall submit an out of state CE approval form along with a $20 processing fee prior to the program or ~~within~~ 90 days prior to the expiration of the optometry license ~~after completion of the program~~. The Board shall review and recommend approval or disapproval of this program using the criteria set forth in this Section.

2) If a licensee fails to submit an out of state CE approval form within the required 90 days, late approval may be obtained by submitting the application along with the $20 processing fee plus a $50 per hour late fee not to exceed $300. The Board shall review and recommend approval or disapproval of this program using the criteria set forth in this Section.

3) The Board has determined that the Council on Optometric Practitioner Education (C.O.P.E.) approved courses are acceptable for out of state continuing education. If a licensee attends an out of state C.O.P.E. approved course, the licensee will not be required to submit the out of state CE approval form and the $20 processing fee.

e) Certification of Compliance with CE Requirements

1) Each renewal applicant shall certify, on the renewal application, full compliance with CE requirements set forth in subsection (a) above.

2) The Department may require additional evidence demonstrating compliance with the CE requirements. It is the responsibility of each renewal applicant to retain or otherwise produce evidence of such compliance.

3) When there appears to be a lack of compliance with CE

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requirements, an applicant will be notified and may request an interview with the Board, at which time the Board may recommend that steps be taken to begin formal disciplinary proceedings as required by Section 10-65 of the Illinois Administrative Procedure Act [5 ILCS 100/10-65].

f) Waiver of CE Requirements

1) Any renewal applicant seeking renewal of his/her license without having fully complied with these CE requirements shall file with the Department a renewal application, the renewal fee set forth in Section 1320.400(b)(1), a statement setting forth the facts (including time frames) concerning such non-compliance, and a request for waiver of the CE requirements on the basis of such facts. If the Department, upon the written recommendation of the Board, finds from such affidavit or any other evidence submitted, that good cause has been shown for granting a waiver, the Department shall waive enforcement of such requirements for the renewal period for which the applicant has applied.

2) Good cause shall be defined as an inability to devote sufficient hours to fulfilling the CE requirements during the applicable prerenewal period because of:

A) Full time service in the armed forces of the United States of America during a substantial part of such period; or

B) Extreme hardship, which shall be determined on an individual basis by the Board and shall be limited to documentation of:

i) An incapacitating illness documented by a currently licensed physician,

ii) A physical inability to travel to the sites of approved programs, or

iii) Any other similar extenuating circumstances.

3) If an interview with the Board is requested at the time the request for such waiver is filed with the Department, the renewal applicant shall be given at least 20 days written notice of the date, time and place of such interview by certified mail, return receipt requested.

4) Any renewal applicant who submits a request for waiver pursuant to subsection (f)(1) of this Section shall be deemed to be in good standing until the Department's final decision on the application has been made.

(Source: Amended at 24 Ill. Reg. 3656, effective FEB 15 2000)

Section 1320.90 Minimum Eye Examination

In the absence of good clinical reasons to the contrary as documented in the record, the following minimum examination shall be performed and findings recorded by an optometrist, and he/she shall keep a record thereof for a period of 3 years:

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a) Complete case history.

b) Visual acuity at distance.

1) Unaided (mono plus binocular).

2) Last prescription or habitual prescription (mono plus binocular).

c) External examination, including pupil reactivity.

d) Internal examination (ophthalmoscopic examination).

e) Retinoscopy.

f) Refractive status.

1) Subjective refraction to best visual acuity at distance.

2) Subjective refraction at near.

g) Measurement of binocularity: including vergences, phoric and accommodative ability.

h) Color vision screening.

i) Glaucoma screening including tonometry.

(Source: Amended at 24 Ill. Reg. 3656, effective FEB 15 2000)

Section 1320.100 Practice of Optometry

a) The practice of optometry as defined in Section 3 of the Act shall include, but not be limited to, the following functions:

1) Prescribing and fitting of any ophthalmic lenses including contact lenses.

2) Retinoscopy.

3) Tonometry.

4) Keratometry.

5) Subjective lens testing.

6) Phoria testing.

7) Biomicroscopy.

8) Ophthalmoscopy.

9) Electronic or computerized examination techniques that utilize devices that perform any of the above functions.

10) Visual screening.

11) Diagnosis and treatment of any ocular abnormality, disease or visual or muscular anomaly of the human eye or visual system.

b) Visual Screening

1) Nothing in this Section shall prohibit visual screening conducted without a fee other than a voluntary donation by a charitable organization or governmental agency, acting in the public welfare under the supervision of a committee composed of persons licensed by the State to practice optometry or medicine in all of its branches.

2) Visual screening is defined as a limited series of ocular observations, measurements or tests provided without a fee to determine if a complete eye examination, as described in Section 1320.90, by a licensed optometrist or a physician licensed to practice medicine in all of its branches, is recommended.

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3) When a ~~licensed--optometrist--performs--public--service~~ visual screening ~~screenings~~ is performed ~~or--visual--screenings--for governmental--agencies~~, the recipient of the screening shall be clearly informed in writing and shall receive a copy of the following:
   A) Results and limitations of the screening;
   B) That the screening is not representative of or a substitute for an eye exam;
   C) That the screening will not result in a prescription for visual correction; ~~and~~
   D) That visual screening referral criteria for a complete eye examination must meet accepted optometric professional standards criteria; and~~.~~
   E) The name and address of the charitable organization sponsoring the screening and the chairperson of the supervisory committee.
4) A copy of the screening results shall be maintained for 3 years by the chairperson of the supervisory committee or the optometrist performing the screening.

c) No ophthalmic lenses, prisms, or contact lenses may be sold or delivered to an individual without a prescription signed by a licensed optometrist or a physician licensed to practice medicine in all of its branches.

d) The following acts shall not be performed by an individual not licensed in this State as an optometrist or to practice medicine in all of its branches except while acting under the direct supervision of a person so licensed:
   1) Conducting or performing examinations of the human eye or its appendages employing either objective or subjective means, or both for the purpose of adapting contact lenses to the eyes of any person;
   2) Using instruments or appliances of any type to determine the curvatures of the eye or of the cornea of any person for the purpose of ordering or supplying contact lenses for such person;
   3) Determining, selecting or specifying the lens characteristics or the lens curvatures of contact lenses to be supplied to any person;
   4) Converting, altering, or varying in any manner a prescription for contact lenses prepared by an optometrist or a person licensed to practice medicine in all its branches in this State;
   5) Converting, altering, or varying in any manner a prescription for spectacles prepared by an optometrist or a person licensed to practice medicine in all of its branches in this State for the purpose of converting such prescription for spectacles into a prescription for contact lenses;
   6) Inserting, removing, adjusting or adapting contact lenses for the purpose of selecting, specifying or furnishing contact lenses for use by any person;

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   7) Conducting or performing any examination of the human eye or its appendages employing either objective or subjective means or both for the purpose of determining the effects which may have resulted from wearing contact lenses by any person;
   8) Where a person has been provided with contact lenses pursuant to a prescription by an optometrist or a person licensed to practice medicine in all of its branches in this State, adjusting, adapting or changing the lens characteristics or the lens curvatures of such contact lens in any manner whatsoever;
   9) Advertising, representing or informing the general public by any means, including, but not limited to, display advertising in newspapers and telephone directories within the State of Illinois, that he/she will fit or adapt contact lenses for the use of any person.

e) Direct supervision of any person assisting an optometrist means:
   1) The optometrist personally performs those procedures requiring professional judgment. Professional judgment requires that the optometrist shall perform those procedures for the diagnosis and treatment of anomalies of the eye, adnexa, and the visual system, including for example, but not limited to, biomicroscopy, ophthalmoscopy, all therapeutic procedures and the prescribing of any ophthalmic lenses, including contact lenses.
   2) The optometrist shall specify all procedures to be performed by the assistant.
   3) The optometrist is present in the facility while the assistant performs the procedure (does not mean that the optometrist must be present with the patient while the specified procedures are being performed).
   4) The optometrist approves the results of the procedures performed by the assistant before dismissal of the patient.

f) Requirements for the minimum eye exam as outlined in Section 1320.90 are still applicable and are not changed or altered by the above provisions.

(Source: Amended at 24 Ill. Reg. 3656, effective FEB 15 2000)

SUBPART B: DIAGNOSTIC TOPICAL OCULAR PHARMACEUTICALS

Section 1320.200 Standards

a) An optometrist's certification to use diagnostic topical ocular pharmaceutical agents for examination purposes shall be revoked, suspended and/or placed on probation and fines may be levied by the Department upon recommendation of the Board ~~Committee~~ based upon any of the following causes:
   1) The use of any diagnostic topical ocular pharmaceutical agent that has not been approved for use by the Department;

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2) The misuse of any diagnostic topical ocular pharmaceutical agent where the optometrist knew or should have known that such use was improper or contraindicated;
3) The use of any disagnostic topical ocular pharmaceutical agents for patients who have had intraocular lens implants except for the use of Proparacaine HCL (0.5%) and Benoxinate HCL (0.4%) for assisting in the measurement of intraocular pressure, except by licensed optometrists certified in therapeutic ocular pharmaceutical agents pursuant to Subpart C;
4) The use of any topical ocular pharmaceutical agents for children who are less than 2 years of age, except by licensed optometrists certified in the use of therapeutic ocular pharmaceutical agents pursuant to Subpart C; or
5) Any other violation of the Act or this Part.

b) In determining what constitutes grave or repeated misuse of any topical ocular pharmaceutical agent, the Board ~~Committee~~ shall consider the following standards as they relate to the person who is the subject of the proposed disciplinary action. The standards shall include but not be limited to:
1) A consideration whether the act or acts of the person are of a glaringly obvious nature or are repetitiously committed and resulted in a breach of standards of practice.;
2) A consideration that said act or acts committed constituted a breach of standards of practice to possess and apply knowledge, skill and care in using approved diagnostic topical ocular pharmaceutical agents for the purpose of aiding the diagnosis of abnormal conditions that are ordinarily used by an optometrist certified under Section 15.1 of the Act.
3) A consideration that a mere mistake which is not indicative of a lack of knowledge, skill and care does not constitute misuse. Nor is a bad or unexpected result evidence of misuse unless such a result would not ordinarily occur in the absence of misuse.
4) A consideration that in determining the applicable standard of use, the Board ~~Committee~~ shall consider the opinion and the testimony of experts.

(Source: Amended at 24 Ill. Reg. 3656, effective FEB 15 2000)

Section 1320.220 Approved Diagnostic Topical Ocular Pharmacological Training

The Department shall, upon the recommendation of the Board ~~Committee~~, approve a program of diagnostic topical ocular pharmacological training that meets the following minimum requirements:

a) The program has a faculty that comprises a sufficient number of full-time instructors to make certain that the educational obligations to the students are fulfilled. The faculty must have demonstrated competence in their area of teaching as evidenced by appropriate

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degrees from accredited colleges or institutions.;

b) The program has a curriculum of at least the following subject areas:
1) General principles of drug action
A) Definition of terms
i) Drug
ii) Pharmacology
B) Medical uses of drugs
i) Therapeutic drugs
ii) Symptomatic therapeutic agents
iii) Prophylactics
iv) Adjunctives
v) Diagnostics
C) Non-medical uses of adjunctives
D) Dose-response relationships
i) By drug classification
ii) Consideration of polyvalence--main effects and side effects
E) Drug disposition
F) Concepts of potency, toxicity, safety, tolerance
2) Routes of drug administration
A) Systemic
B) Topical
3) Dosage forms
A) Comparative properties
B) Prescription (legend) products and over-the-counter (OTC) products
4) Sources of drug information
A) Composition of commercial products
B) Generic--trade name equivalents
C) Indications and adverse effects
D) Drug regulations
5) Specific drug classes
A) Miotics, mydriatics and cycloplegic drugs
i) Neurotransmitter functions
ii) Drug modification of transmitter functions
iii) Clinical uses
B) Drugs used to treat glaucoma
C) Local anesthetics
i) Chemical nature
ii) Sites of administration
iii) Mechanisms of action
iv) Duration and toxicity
D) Problems of sterility, disinfection and asepsis related to optometric practice
E) Pharmaceutical agents used in ocular examination
6) Ocular side effects of drugs systemically administered
A) Relationship of age, amount given, health and idiosyncrasies
B) Drugs in current use

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C) Drugs of current abuse
7) Over-the-counter ophthalmic preparation (including those used with contact lenses)
A) Types
B) Consideration of preservatives in them
8) Anti-infective therapy
A) Antibacterial drugs
B) Fungistatic drugs
C) Antiviral drugs
9) Anti-inflammatory therapy
A) Antihistamines
B) Steroids
C) Sympathomimetic amines
10) Principles of CPR

c) The program includes a minimum of 55 instructional hours, and requires for program completion the passage of a comprehensive examination designed to test the student's knowledge of and ability to apply the program's subject matter.

d) The Department, upon the recommendation of the Board ~~Committee~~, has determined that courses of pharmacological training which are an integrated part of any program of optometry approved in accordance with the provisions of Section 1320.20 of this Part meet the criteria specified herein, and are, therefore, approved.

e) Program Evaluation
1) An applicant from a diagnostic pharmacological training program that has not been evaluated will be requested by the Department to provide documentation concerning the criteria in this Section.
2) Once the Department has received the documentation or after 6 months have elapsed from the date of application, whichever comes first, the Board ~~Committee~~ will evaluate the program based on all documentation from the program and any additional information the Department has received which it deems to be reliable.

f) The Department may, upon the recommendation of the Board ~~Committee~~, withdraw the approval of any program of pharmacological training for any of the following grounds:
1) Fraud or dishonesty in applying for approval;
2) Failure to continue to meet the criteria for an approved program as stated in this Section.

g) A program whose approval is being reconsidered shall be given written notice prior to any recommendation by the Board ~~Committee~~, and the officials in charge may either submit written comments or request a hearing before the Board ~~Committee~~.

(Source: Amended at 24 Ill. Reg. 3656, effective FEB 15 2000)

Section 1320.230 Approved Diagnostic Topical Ocular Pharmaceutical Agents Pursuant to Section 15.1 of the Act

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a) The following diagnostic topical ocular pharmaceutical agents are approved for use by only diagnostically certified optomentrists:
1) Proparacaine HCL (0.5%)
2) Benoxinate HCL (0.4%)
3) Tropicamide (0.5% and 1.0%)
4) Cyclopentolate (0.5% and 1.0%)
5) Atropine Sulfate (ointment) (0.5%)
6) Homatropine (2.0% and 5.0%)
7) Phenylephrine HCL (2.5%)

b) The Department shall, upon the recommendation of the Board ~~Committee~~, approve other topical anesthetics, cycloplegics and mydriatics that meet the following criteria:
1) Such agents have been approved for topical use by the U.S. Food and Drug Administration;
2) Such agents offer a diagnostic alternative or advantage over the existing list of approved agents; and
3) Such agents have been determined, in the judgement of the Board ~~Committee~~, to be beneficial with no substantial risk to the ultimate consumer.

(Source: Amended at 24 Ill. Reg. 3656, effective FEB 15 2000)

Section 1320.240 Restoration of Diagnostic Certification

a) A certification that has lapsed or been on inactive status for less than 3 years shall be restored upon application to the Department, proof of a current Illinois optometric license and payment of the required fees specified in Section 1320.400(c)(1) of this Part.

b) A certification that has lapsed or been on inactive status for more than 3 years shall be restored with proof of a current Illinois optometric license and submission of an application to the Department, which shall include the following:
1) Sworn evidence of active practice in another jurisdiction that allows the use of diagnostic topical ocular pharmaceutical agents. Such evidence shall include a statement from the appropriate licensing authority in the other jurisdiction that the licensee was authorized to practice during the term of said active practice and indicates if any disciplinary action has been taken or is pending; or
2) Other evidence that the applicant has maintained competence in use of diagnostic topical ocular pharmaceuticals. Such evidence shall be evaluated on an individual basis by the Board ~~Committee~~ and may include:
A) Teaching ocular pharmacology in an educational program approved in accordance with Section 1320.220 of this Part; or
B) Research in ocular pharmacology; or

3) Proof of passage within the year preceding application of an approved training program as specified in Section 1320.220 of this Part; or

4) The required fees set forth in Section 1320.400(c)(1).

c) When the accuracy of any submitted documentation or the relevance or sufficiency of the course work or experience is questioned by the Department or the Board ~~Committee~~ because of lack of information, discrepancies or conflicts in information given or a need for clarification, the applicant seeking restoration of the certification will be requested to:

1) Provide such information as may be necessary; and/or

2) Appear for an oral interview(s) before the Board ~~Committee~~ to explain such relevance or sufficiency, clarify information or clear up any discrepancies or conflicts in information in order to evaluate the individual's current competency to use diagnostic topical ocular pharmaceutical agents. Upon the recommendation of the Board ~~Committee~~ and approval by the Department, the applicant shall have the certification restored.

(Source: Amended at 24 Ill. Reg. 3656, effective FEB 15 2000)

Section 1320.250 Endorsement of Diagnostic Certification

a) An applicant licensed to practice optometry in another jurisdiction after January 1, 1988, shall be required to apply for and obtain certification to use diagnostic topical ocular pharmaceutical agents in conjunction with his/her optometry license.

b) An applicant who is licensed or certified under the laws of another jurisdiction to use diagnostic topical ocular pharmaceutical agents for examination purposes shall file an application with the Department, on forms provided by the Department, together with:

1) An application for licensure as an optometrist in the State of Illinois and meet the requirements set forth in the Act and Section 1320.50 for such licensure;

2) A certification from the licensing authority of the jurisdiction of original licensure, and any other jurisdiction in which the applicant is licensed, stating:

A) The time during which the applicant was licensed in that state;

B) Whether the file on the applicant contains any record of any disciplinary actions taken or pending;

C) A description of the examination and grade received;

3) A description of the diagnostic topical ocular pharmaceutical training received;

4) A copy of the acts and rules from the original state of licensure in effect at the time of licensure; and

5) The required fee set forth in Section 1320.400.

c) An applicant who is licensed as an optometrist in another jurisdiction, whose optometry license includes the ability to use topical ocular pharmaceuticals, will be eligible to receive diagnostic topical ocular pharmaceutical certification by the Department if he/she meets the requirements set forth in subsection (b) above.

d) The applicant may be required to appear before the Board ~~Committee~~:

1) To clarify or explain information contained on the submitted documentation; or

2) To determine the substantial equivalence of the applicant's qualifications to the licensing requirements in this State pursuant to Section 15.1 of the Act.

(Source: Amended at 24 Ill. Reg. 3656, effective FEB 15 2000)

SUBPART C: THERAPEUTIC OCULAR PHARMACEUTICAL AGENTS

Section 1320.300 Definitions and Standards

a) Ophthalmic emergency care involves an acute condition that in the judgment of the optometrist may be sight threatening, requires the optometrist to initiate nonsurgical emergency procedures and requires patient referral and consultation with another appropriate health care professional.

b) Any optometrist certified to use therapeutic ocular pharmaceutical agents shall be authorized to purchase such drugs and to utilize and to prescribe such drugs in the regular course of practicing optometry. The use of the drugs shall be the personal act of the person certified to use therapeutic ocular pharmaceutical agents and may not be delegated to any other person. A signed written prescription for legend drugs must be presented to the patient, if applicable, and the optometrist shall be required to keep a copy of all prescriptions written.

c) An optometrist's certification to use therapeutic ocular pharmaceutical agents may be revoked, suspended or placed on probation and fines levied by the Department upon recommendation of the Board ~~Committee~~ based upon any of the following causes:

1) The use of any therapeutic ocular pharmaceutical agent that is not approved for use;

2) The misuse of any therapeutic ocular pharmaceutical agent or procedure where the optometrist knew or should have known that such use was improper or contraindicated;

3) Failure to take reasonable steps to ensure or arrange for follow-up care or for referral of a patient to an appropriate health care professional after providing ophthalmic emergency care;

4) Any other violations of the Act or this Part.

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d) In determining what constitutes grave or repeated misuse of any topical ocular pharmaceutical agent, the Board ~~Committee~~ shall consider the following standards as they relate to the person who is the subject of the proposed disciplinary action. The standards shall include but not be limited to:
   1) A consideration of whether the act or acts of the person are of a glaringly obvious nature or are repetitiously committed and resulted in a breach of standards of practice.;
   2) A consideration that said act or acts committed constituted a breach of standards of practice to possess and apply knowledge, skill and care in using approved therapeutic ocular pharmaceutical agents for the purpose of aiding the treatment of abnormal conditions that are ordinarily used by an optometrist certified under Section 15.1 of the Act.
   3) A consideration that a mere mistake that is not indicative of a lack of knowledge, skill and care does not constitute misuse. Nor is a bad or unexpected result evidence of misuse unless such a result would not ordinarily occur in the absence of misuse.
   4) A consideration that, in determining the applicable standard of use, the Board ~~Committee~~ shall consider the opinion and the testimony of experts.

(Source: Amended at 24 Ill. Reg. 3656, effective FEB 15 2000)

Section 1320.310 Application for Therapeutic Certification

A licensed optometrist seeking certification to use therapeutic ocular pharmaceutical agents for examination purposes shall file an application with the Department, on forms provided by the Department:

a) Either:
   1) Certification signed by the Dean of the applicant's optometry program that the applicant has successfully completed 30 hours of therapeutic ocular training in systemic disease. ~~The training shall have been integrated in the optometric training and shall have been taught by medical faculty who are credentialed in the appropriate medical specialties that would be equivalent to the requirements set forth in Section 1320.320(b)(2).~~ Only optometrists who graduated from an optometry program approved by the Department in accordance with Section 1320.20 after January 1, 1994 are eligible to apply under this subsection;
   2) Certification of training and proof of completion of an approved therapeutic ocular pharmaceutical course as set forth in Section 1320.320 of this Part. Such course shall have been taken after January 1, 1994.
b) Proof of diagnostic ocular pharmaceutical certification in accordance with Subpart B.
c) The required fee set forth in Section 1320.400(a)(2) of this Part.

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(Source: Amended at 24 Ill. Reg. 3656, effective FEB 15 2000)

Section 1320.320 Approved Therapeutic Ocular Training

The Department shall, upon the recommendation of the Board ~~Committee~~, approve a program of therapeutic ocular training that meets the following minimum requirements:

a) The program has a faculty that comprises a sufficient number of full-time instructors to make certain that the educational obligations to the student are fulfilled.
   1) The faculty must have demonstrated competence in the area of pharmacological training as evidenced by appropriate degrees from accredited colleges or institutions;
   2) The medical component of the course shall be taught by physicians licensed to practice medicine in all of its branches with appropriate specialty credentials. They shall be members of the faculty for the 4 year professional optometry program and have appropriate input into the development, presentation and testing of the course.
b) The program shall have a curriculum of a minimum of 120 total contact hours. At least 90 hours shall be lecture and at least 30 hours shall be practical laboratory which shall include foreign body removal and clinical patient care. The lecture portion of the course is subject to the following criteria:
   1) At least 60 hours taught by faculty members (referenced in (a)(1) above) of the college or university sponsoring the course in the following subject areas:
      A) Anatomy and Physiology Considerations in Ocular Disease - 5 hours minimum
      B) Pharmacology of Therapeutic Agents - 10 hours minimum
      C) Specific Ocular Disease Considerations - 15 hours minimum
         i) Bacterial
         ii) Viral and Chlamydial
         iii) Allergic
         iv) Fungal
         v) Clinical Diagnosis and Treatment of Anterior Uveitis
         vi) Clinical Diagnosis and Management of Posterior Uveitis
         vii) Lacrimal Disorders
      D) Other Ocular Diseases/Disorders - 15 hours minimum
         i) Pre-Post Operative Cataract Care
         ii) Integration of nervous system assessment and neuro-Ophthalmic Disorders
         iii) Practical Management of Ocular Emergencies
         iv) Diabetic Complications - Diabetic Retinopathy
         v) Sudden Vision Loss
      E) Glaucoma Diagnosis, Treatment and Management - 10 hours minimum

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i) Pathophysiology of Glaucoma
ii) Open Angle Glaucoma
iii) Angle Closure Glaucoma
iv) Pharmacology of Glaucoma

F) Clinical Laboratory Tests and Services - 3 hours minimum

2) At least 30 hours of Clinical Medical Perspectives/Primary Care Medicine for the Ophthalmic Practitioner that shall be taught by medical faculty members (as referenced in subsection (a)(2) above). The 30 hours shall be in the following subject areas:
A) Cardiovascular Disease
B) Respiratory Disorders (e.g., pulmonary)
C) Immunology
D) Infectious Disease
E) Dermatology
F) Cataract Surgery - 2 hours maximum
G) General Medical Emergency
H) Endocrinology
I) Collagen Vascular Disease

c) The program shall require passage of a comprehensive examination(s) designed to test the student's knowledge, competence and ability to apply the program's subject matter.
1) The comprehensive examination(s) shall be administered and proctored by the teaching institution's faculty at the site where the course is given or at the institution.
2) Verification of student identification shall be required.
3) The comprehensive examination(s) shall not be take home, open book or collaborative examination(s).
4) The content of all examinations shall be made available to the Department for review upon request.

d) The program shall not be provided, sponsored, co-sponsored or in any way be supported or financially underwritten by a sponsor or others who receive patient referrals from those in attendance. Approved colleges or institutions are exempt from this provision.

e) Program Evaluation
1) An applicant from a pharmacological training program that has not been evaluated will be requested by the Department to provide documentation concerning the criteria in this Section.
2) Once the Department has received the documentation or after 6 months have elapsed from the date of application, whichever comes first, the Board ~~Committee~~ will evaluate the program based on all documentation received from the program and any additional information the Department has requested.

f) The Board ~~Committee~~ may withdraw the approval of any program of pharmacological training for any of the following grounds:
1) Fraud or dishonesty in applying for approval;
2) Failure to continue to meet the criteria for an approved program as stated in this Section.

g) A program whose approval is being reconsidered shall be given written

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notice prior to any recommendation by the Board ~~Committee~~, and the officials in charge may either submit written comments or request a hearing before the Board ~~Committee~~ in accordance with 68 Ill. Adm. Code 1010.

(Source: Amended at 24 Ill. Reg. 3656, effective FEB 15 2000)

Section 1320.340 Restoration of Therapeutic Certification

a) A therapeutic certification that has lapsed or been on inactive status for less than 3 years shall be restored upon application to the Department, payment of the required fees specified in Section 1320.400(c)(1) of this Part, a current Illinois optometric license, diagnostic topical ocular pharmaceutical certification and proof of completion of continuing education pursuant to Section 1320.90 of this Part.

b) A therapeutic certification that has lapsed or been on inactive status for more than 3 years shall be restored upon proof of a current Illinois optometric license, proof of a diagnostic topical ocular pharmaceutical certification and submission of an application to the Department, which shall include the required fee set forth in Section 1320.400(c)(1) of this Part and the following:
1) Sworn evidence of active practice in another jurisdiction that allows the use of equivalent therapeutic ocular pharmaceutical agents. Such evidence shall include a statement from the appropriate licensing authority in the other jurisdiction that the licensee was authorized to practice during the term of said active practice and that indicates if any disciplinary action has been taken or is pending; or
2) Other evidence that the applicant has maintained competence in the use of therapeutic ocular pharmaceuticals. Such evidence shall be evaluated on an individual basis by the Board ~~Committee~~ and may include:
A) Teaching therapeutic ocular pharmacology in an educational program approved in accordance with Section 1320.220 of this Part; or
B) Research in therapeutic ocular pharmacology; or
3) Proof of successful completion within the year preceding application of an approved training program as specified in Section 1320.320 of this Part.;
~~4) The required fee set forth in Section 1320.400(c)(1) of this Part;~~

c) When the accuracy of any submitted documentation, or the relevance or sufficiency of the course work or experience, is questioned by the Department because of lack of information, discrepancies or conflicts in information given or a need for clarification, the licensee seeking restoration of the certification will be requested to:

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1) Provide such information as may be necessary; and/or
2) Appear for an interview(s) before the Board ~~Committee~~ to explain such relevance or sufficiency, clarify information or clear up any discrepancies or conflicts in information in order to evaluate the individual's current competency to use therapeutic ocular pharmaceutical agents.

(Source: Amended at 24 Ill. Reg. 3656, effective FEB 15 2000)

Section 1320.350 Endorsement of Therapeutic Certification

a) An applicant who was originally licensed to practice optometry in another jurisdiction after January 1, 1996 shall be required to apply for and maintain therapeutic ocular pharmaceutical certification.
b) An applicant who is licensed or certified under the laws of another jurisdiction to use equivalent therapeutic ocular pharmaceutical agents shall file an application with the Department, on forms provided by the Department, together with:
   1) An application for licensure as an optometrist and an application for certification of diagnostic topical ocular pharmaceuticals in the State of Illinois;
   2) A certification from the licensing authority of the jurisdiction of original licensure, and any other jurisdiction in which the applicant is licensed, stating:
      A) The time during which the applicant was licensed in that state;
      B) Whether the records of the licensing entity contain any record of disciplinary actions taken or pending against the applicant;
      C) A description of the examination and grade received;
   3) A certification of education and a transcript of the therapeutic ocular pharmaceutical agent training received and any continuing education completed in therapeutics. The therapeutic training shall be equivalent to the training set forth in Section 1320.320 and shall have been completed after January 1, 1994;
   4) A copy of the Acts ~~acts~~ and rules in effect at the time of original certification or licensure; and
   5) The required fee set forth in Section 1320.400.
c) The applicant may be required to appear before the Board ~~Committee~~:
   1) To clarify or explain information contained on the submitted documentation; or
   2) To determine the substantial equivalence of the applicant's qualifications to the licensing requirements in this State pursuant to Section 15.1 of the Act.

(Source: Amended at 24 Ill. Reg. 3656, effective FEB 15 2000)

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1) Heading of the Part: Illinois Health and Hazardous Substances Registry

2) Code Citation: 77 Ill. Adm. Code 840

3)

Section Numbers:	Proposed Action:
840.30	Amendment
840.110	Amendment
840.115	Amendment
840.210	Amendment
840.215	Amendment
840.Appendix A	Repealed
840.Appendix B	
Exhibit A	Repealed
Exhibit B	Repealed

4) Statutory Authority: Implementing and authorized by the Illinois Health and Hazardous Substances Registry Act [410 ILCS 525], Section 55.31b of the Civil Administrative Code of Illinois [20 ILCS 2310/55 31b], the Developmental Disabilities Prevention Act [410 ILCS 250], and the Lead Poisoning Prevention Act [410 ILCS 45]

5) Effective Date of Amendments: February 18, 2000

6) Does this rulemaking Contain an automatic repeal date? No

7) Does this rulemaking contain incorporations by reference? No

8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.

9) Date Notice of Proposed Rulemaking was Published in the Illinois Register: August 13, 1999, 23 Ill. Reg. 8931

10) Has the Joint Committee on Administrative Rules issued a Statement of Objection to this rulemaking? No

11) Difference Between Proposal and Final Version: Various typographical, grammatical, and form changes were made in response to comments from the Joint Committee on Administrative Rules.

12) Have all the changes agreed upon by the agency and the Joint Committee been made as indicated in the agreements issued by the Joint Committee? All changes agreed upon by the Department and the Joint Committee have been made as indicated in the agreements issued by the Joint Committee.

13) Will the rulemaking replace an emergency amendment currently in effect? No

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14) Are there any other amendments pending on this Part? No

15) Summary and Purpose of Amendments: Information to be reported to the Illinois State Cancer Registry is being revised to include the names of the attending physician, diagnosing and treating physician, and any physician who provided follow-up care. Facilities that report to the Registry will be required to report on patients who are receiving treatment at their facility, but who were diagnosed and received first course cancer treatment at a different facility. The rulemaking also revises diagnosis codes in accordance with the International Classification of Diseases for Oncology (ICD-O) and includes alternative reporting procedures for facilities that report electronically. Information to be reported to the Adverse Pregnancy Outcomes Reporting System (APORS) is being revised to include several specific communicable infections. The APORS reporting forms located in Section 840.Appendix B are being repealed because most reporting is done electronically. The elements that must be reported, however, remain intact and are added to the Section on APORS reporting.

16) Information and questions regarding these adopted amendments shall be directed to:

Paul D. Thompson
Division of Legal Services
535 West Jefferson, Fifth Floor
Springfield, Illinois 62761
(217) 782-2043
(rules@idph.state.il.us)

The full text of the adopted amendments begins on the next page:

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TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER p: HAZARDOUS AND POISONOUS SUBSTANCES

PART 840
ILLINOIS HEALTH AND HAZARDOUS SUBSTANCES REGISTRY

SUBPART A: GENERAL REGISTRY PROVISIONS

Section
840.5 Purpose
840.10 Definitions
840.20 Incorporated Materials
840.30 Availability of Registry Information
840.40 Administrative Hearings
840.50 Quality Control
840.60 Fee Assessment

SUBPART B: ILLINOIS STATE CANCER REGISTRY

840.100 Entities Required to Submit Information
840.110 Information Required to be Reported
840.115 Methods of Reporting Cancer Registry Information
840.120 Quality Control (Repealed)

SUBPART C: ADVERSE PREGNANCY OUTCOMES REPORTING SYSTEM

840.200 Entities Required to Submit Information
840.210 Adverse Pregnancy Outcomes Information Required to be Reported
840.215 Methods of Reporting APORS Information

SUBPART D: OCCUPATIONAL DISEASE REGISTRY

Section
840.300 Entities Required to Submit Information
840.305 Information Required to be Reported
840.310 Methods of Reporting Occupational Disease

APPENDIX A ISCR Incidence Report Form (Repealed)
APPENDIX B Instructions for APORS Reporting (Repealed)
EXHIBIT A Instructions for Completing the Infant Discharge Record (Repealed)
ILLUSTRATION A Infant Discharge Record (Repealed)
EXHIBIT B Instructions for Completing Maternal Supplement (Repealed)
ILLUSTRATION B Maternal Supplement Abstract (Repealed)
APPENDIX C Forms and Instructions for Occupational Disease Registry
EXHIBIT A Instructions for completing The Laboratory Based Report of Adult Blood Lead Analysis

EXHIBIT B Instructions for completing the Health Department Follow-Up Report of Adult Blood Lead Level Analysis For Results of 25mcg/dl and Above (Local Health Authorities will use this form)
ILLUSTRATION A Health Department Laboratory Report of Adult Elevated Blood Lead Analysis 25 mcg/dl and Above
ILLUSTRATION B Health Department Follow-up Report of Adult Blood Lead Levels Analysis For Results of mcg/dl and Above
ILLUSTRATION C Occupational Disease Registry Abstract Information from the Illinois Health Care Cost Containment Council

AUTHORITY: Implemented and authorized by the Illinois Health and Hazardous Substances Registry Act [410 ILCS 525], Section 55.31b of the Civil Administrative Code of Illinois [20 ILCS 2310/55.31b], the Developmental Disabilities Prevention Act [410 ILCS 250], and the Lead Poisoning Prevention Act [410 ILCS 45].

SOURCE: Adopted at 10 Ill. Reg. 7842, effective May 19, 1986; amended at 12 Ill. Reg. 13173, effective August 1, 1988; amended at 14 Ill. Reg. 5495, effective April 1, 1990; amended at 17 Ill. Reg. 2319, effective February 10, 1993; amended at 24 Ill. Reg. 3685, effective FEB 18 2000.

SUBPART A: GENERAL REGISTRY PROVISIONS

Section 840.30 Availability of Registry Information

a) All reports issued by the Department which are aggregated to make it impossible to identify any patient or reporting facility, including the annual report, shall be made available to the public pursuant to the Department's Freedom of Information rules (2 Ill. Adm. Code 1126) and the Freedom of Information Act.

b) All requests by medical or epidemiologic researchers for confidential Registry data must be submitted in writing to the Registry. The request must include a study protocol which contains: objectives of the research; rationale for the research including scientific literature justifying current proposal; overall study methods, including copies of forms, questionnaires, and consent forms used to contact facilities, physicians or study subjects; including methods for documenting compliance with 42 CFR 2a.4(a)-(j), 2a.6(a)-(b), 2a.7(a)-(b)(1) ~~2A--pars.--4--a-j,--6--a-b,--7--a-b1~~; methods for the processing of data; storage and security measures taken to insure confidentiality of patient identifying information; time frame of the study; a description of the funding source of the study (e.g., federal contract); the curriculum vitae of the principal investigator and a list of collaborators. In addition, the research request must specify what patient or facility identifying information is needed and how the information will be used.

c) All requests to conduct research and modifications to approved research proposals involving the use of data which includes patient or facility identifying information shall be subject to a review to determine compliance with the following conditions:

1) The request for patient or facility identifying information contains stated goals or objectives.
2) The request documents the feasibility of the study design in achieving the stated goals and objectives.
3) The request documents the need for the requested data to achieve the stated goals and objectives.
4) The requested data can be provided within the timeframe set forth in the request.
5) The request documents that the researcher has qualifications relevant to the type of research being conducted.
6) The research will not duplicate other research already underway using the same registry data when both require the contact of a patient, reporting facility or physician about an individual patient involved in the previously approved concurrent research.
7) Other such conditions relevant to the need for the patient or facility identifying information and the patient's confidentiality rights because the Department will only release the patient or facility identifying information which is necessary for the research.

d) Research Agreements.
1) The Department will enter into research contracts for all approved research requests. These contracts shall specify exactly what information is being released and how it can be used in accordance with the standards in subsection (c) above. In addition, the researcher shall include an assurance that:
A) use of data is restricted to the specifications of the protocol;
B) any and all data which may lead to the identity of any patient, research subject, physician, other person, or hospital is strictly privileged and confidential and agrees to keep all such data strictly confidential at all times;
C) all officers, agents and employees will keep all such data strictly confidential, will communicate the requirements of this Section to all officers, agents, and employees, will discipline all persons who may violate the requirements of this Section, and will notify the Department in writing within ~~forty-eight~~ (48) hours of any violation of this Section, including full details of the violation and corrective actions to be taken;
D) all data provided by the Department pursuant to this contract may only be used for the purposes named in this contract and that any other or additional use of the data may result in immediate termination of this contract by the Department;
E) all data provided by the Department pursuant to this contract is the sole property of the Department and may not

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be copied or reproduced in any form or manner and agrees to return all data and all copies and reproduction of the data to the Department upon termination of this contract.

2) Any departures from the approved protocol must be submitted in writing and approved by the Director in accordance with subsection (c)(2) above prior to initiation. No patient or facility identifying information may be released by a researcher to a third party.

e) The Department shall disclose individual patient or facility information to the reporting facility, which originally supplied that information to the Department, upon written request of the facility.

f) The Department, by signed and reciprocating agreement, may disclose individual patient information concerning residents of another state to the registry in the individual's state of residence only if the recipient of such information is legally required to hold such information in confidence and provides protection from disclosure of patient identifying information equivalent to the protection afforded by the Illinois law.

g) The patient identifying information submitted to the Department by those entities required to submit information under the Act and this Part is to be used in the course of medical study under the Part 21 of Article 8 of the Code of Civil Procedure. Therefore, this information is privileged from disclosure by the Part 21 of Article 8 of the Code of Civil Procedure.

h) *The identity of any facility or, any group of facts which tends to lead to the identity, of any person whose condition or treatment is submitted to the Illinois Health and Hazardous Substances Registry is confidential and shall not be open to public inspection or dissemination.* Such information shall not be available for disclosure, inspection or copying under the Freedom of Information Act or the State Records Act. *All information for specific research purposes may be released in accordance with procedures established by the Department in this Section.* (Section 4(d) of the Act~~)~~.~~:~~

i) *Hospitals, laboratories, other facilities or physicians shall not be held liable for the release of information or confidential data in accordance with* the ~~this~~ *Act. The Department shall protect any information made confidential or privileged under law.* (Section 4(e) of the Act~~)~~.~~:~~

j) Every hospital shall provide representatives of the Department with access to information from all medical, pathological, and other pertinent records and logs related to reportable registry information. The mode of access and the time during which this access will be provided shall be by mutual agreement between the hospital and the Department. ~~The Department shall not require hospitals to provide information on cases which are date more than two years before the Department's request for further information.~~

k) Every hospital shall provide access to information regarding specified patients or other patients specified for research studies, related to

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reportable registry information, conducted by the Department. Any disputes as to access shall be resolved by the hospital and the Department within 30 days after requests for access have been denied.

l) The Department shall disclose individual patient or facility APORS information obtained from each Regional Perinatal Network facility to the Regional Perinatal Network's Perinatal Center, upon written request of that particular Perinatal Center's Clinical Director. The patient and facility identifying information submitted to the Perinatal Center by the Department as required under this Part is to be used in the course of medical study under Part 21 of Article 8 of the Code of Civil Procedure and is therefore, privileged from disclosure. The Perinatal Center's request for APORS data should clearly indicate the purpose for which the data will be used. The Department shall release data only for internal quality control or medical study for the purpose of reducing morbidity or mortality, or for improving patient care. The Department shall provide a copy of the original request and the data which are released to the hospital which originally reported these data.

m) The Departmnet shall disclose summary and statistical reports containing information which identifies individual patients or individual hospitals to the hospital which reported the patient, to the Perinatal Center with which it is affiliated, and to the local health agency designated by the Department to provide follow-up services to patients. Such reports may contain information provided by the referring hospital and information provided by the follow-up agency. Patient and reporting facility specific data provided to the appropriate designee under this Section is confidential and shall not be otherwise disclosed.

(Source: Amended at 24 Ill. Reg. 3685, effective FEB 18 2000)

SUBPART B: ILLINOIS STATE CANCER REGISTRY

Section 840.110 Information Required to be Reported

a) A facility required to submit information shall report each cancer incidence and other tumorous and precancerous disease, as specified in this Section ~~section~~, to the Department.

b) This information to be reported shall be provided upon forms supplied by the Department. The facility tumor registrar or other person designated by the facility shall abstract information from the cancer patient's record onto the standard forms supplied by the Department. The information to be reported is divided into six subject areas, each containing a particular set of information. The six subject areas of the incidence report shall include the following:

1) Reporting Information - This area provides information concerning the type of report being submitted; whether a new report, a

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change to be made on an existing report, or a deletion of a previously submitted report. It also includes the abstracter identification code and the date the abstract is completed along with the abstract number.

2) Patient Data and Resident Address - This area contains the patient's full name (including maiden name, when applicable and available), the patient's Social Security number, and the patient's residential address.

3) Personal Data - This area contains other personal data: patient's birthdate, age, sex, race, Hispanic origin, birthplace, usage history of tobacco and alcohol, current or most recent occupation and industry, and longest lifetime occupation and industry.

4) Diagnosis Data - Information concerning the patient's diagnosis of cancer(s) is collected in this area. This information consists of: initial diagnosis date, method of diagnosis, primary site, laterality, morphology, stage of disease, existence of other reportable primary diseases, first course cancer directed therapy, and specification of previous cancer sites and dates of diagnoses.

5) Facility Data - This area provides information on the reporting facility: the facility identification number provided by the Department of Public Health if available outpatient status, the case identification type, discharge date and status, and class of case, and name of attending physician.

6) Follow-Up Data - Information concerning the patient's alive or deceased status. This information consists of: date of last follow-up or death, follow-up status, type of follow-up, names of follow-up physicians, cause of death, and whether patient information is incomplete, and names of diagnosing and treating physicians.

c) For facilities without existing tumor registries copies of the pathology report(s) and hematology report(s) shall be provided in cases confirmed by laboratory analysis.

d) Each patient's cancer incidence report form shall be sent within six months of the date of diagnosis or within four months of the date of discharge from the reporting facility, whichever is sooner. Reporting facilities shall report by letter to the Department by each July 1, the status of the completeness of reporting of cancer incidence cases diagnosed through December of the preceding year.

e) Every hospital, clinical laboratory, ambulatory surgical treatment center and other facility shall provide representatives of the Department with access to information from all medical, pathological, and other pertinent records and logs related to cancer incidence.

f) Every hospital, ambulatory surgical treatment center, clinical laboratory and other facility shall provide access to information regarding specified cancer patients or other patients specified for research studies related to cancer prevention and control conducted by

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the Department and which have been approved after appropriate review by the Department for assuring protection of human subjects. (See 42 CFR 2a.4(a)-(j), 2a.6(a)-(b), 2a.7(a)-(b)(l). ~~2A, pars. 4a-j, 6a-b, 7a-b~~).

(Source: Amended at 24 Ill. Reg. 3685, effective FEB 18 2000)

Section 840.115 Methods of Reporting Cancer Registry Information

a) All patients identified at a reporting facility, whether as an inpatient or outpatient, who meet ~~meets~~ one of the three ~~two~~ following criteria are reportable to the Registry:

1) Patients with a newly diagnosed cancer, who have within six months after diagnosis, received cancer directed treatment or refused treatment.
AGENCY NOTE: Because of the possibility of one patient being diagnosed or treated in more than one facility, it is necessary to make the determination if the patient is still classified as "newly diagnosed." For example, if a patient is first diagnosed and definitively treated in Hospital A in February, 1986, but was then referred to Hospital B in April, 1986, for further definitive treatment for that cancer, that patient would be a reportable case for Hospitals ~~Hospital~~ A and B.

2) Patient with cancer diagnosed through autopsy.

3) Patient diagnosed and receiving all first course treatment elsewhere and now receiving cancer directed treatment at your facility. (Class 3)

b) A patient is considered to have a malignant neoplasm when a licensed physician, or dentist, indicates that he/she does. Otherwise, the following terminology, when applied to a malignancy, shall be interpreted as indicating involvement by a cancerous tumor:

1) Probable,
2) Consistent with,
3) Compatible with,
4) Suspect(ed) ~~Suspected~~,
~~5) Extension or invasion to, onto, into, out onto,~~
56) Most likely,
67) Presumed,
78) Cannot rule out,
89) Apparent(ly) ~~Apparently~~,
910) Suspicious for,
10) Appears to,
11) Comparible with,
12) Favor(s),
13) Malignant appearing,
14) Typical of.

c) The following terminology, when applied to a malignancy, shall be

interpreted as indicating non-involvement by a cancerous tumor:

1) Questionable,
2) Possible,
3) Suggests,
4) Equivocal,
5) Rule out,
~~6) Very-close-to~~,
6~~7~~) Worrisome, ~~r~~
7) Cannot be ruled out,
8) Potentially malignant.

d) Determination of whether or not a given primary tumor is reportable shall be made by reference to the morphology codes (M-codes) of the Second Edition of the International Classification of Diseases for Oncology (ICD-O).

e) The specified cases of tumorous or precancerous diseases which shall be reported to the Registry are:

1) benign intracranial tumors, and
2) other conditions which the facility wishes to report.

f) Cases of basal or squamous cell neoplasms of the skin (i.e., ICD-O codes C44.0-C44.9 with M8050 through M8110) shall only be reported when located in the following areas: penis, scrotum, anus, eyelid, and muco-cutaneous junctions of the lips, labia and vulva.

g) There are two mechanisms by which a reporting facility can report cancer cases. These depend on whether or not the reporting facility maintains a cancer program and tumor registry:

1) Option #1. Facilities that maintain a cancer program and a tumor registry shall submit the incidence report form on diagnosed cancers to the Registry. The incidence report forms shall be submitted monthly in batches according to the schedule established by the Department. These facilities shall code the shaded boxes for primary site and morphology and shall specify clearly in writing in the space provided on the incidence report form, the primary site and morphology.

2) Option #2. All other facilities shall submit the incidence report form on diagnosed cancers to the Registry. The incidence report forms shall be submitted monthly in batches according to the schedule established by the Department. These reporting facilities shall staple the patient's cancer-confirming pathology report to the incidence report form, shall specify clearly in writing in the space provided on the incidence report form, the primary site and morphology, and shall not code the primary site or morphology.

h) All reporting facilities are responsible for complete casefinding, which means identifying all first time reported cancer patients and completing an incidence report form for the Registry. Casefinding techniques shall be implemented through the review of the clinical record and pathology and cytology reports.

1) Any patient's clinical record identified with any of the

following ICD-9-CM Diagnosis or Procedure Codes by the Medical Record Department shall be reviewed for reportability to the Registry:

Diagnosis Codes		
A)	042.2	AIDS with malignancy.
BA)	140-208	Malignancies (1° & 2°).
CB)	211.8	Mesothelioma of peritoneum ~~Peritoneum~~.
DC)	212.3	Adenoma of lung or bronchus.
EB)	212.4	Mesothelioma of pleura ~~Pleura~~.
FB)	230-234	Carcinoma-in-situ - all sites.
GF)	235-238	Neoplasms of uncertain behavior.
HG)	239	Neoplasms of unspecified nature.
~~H)~~	~~273.1~~	~~Monoclonal-Gammaphathy.~~
~~I)~~	~~273.2~~	~~Alpha-Heavy-Chain-Disease.~~
I)	273.0-273.3	Disorders of plasma protein metabolism.
~~J)~~	~~273.3~~	~~Waldenstrom's-macroglobulinemia.~~
J)	279.0-279.9	Disorders involving the immune mechanism.
~~K)~~	~~279.9~~	~~Unspecified-Disorder-of-immune-Mechanism.~~
K)	289.0-289.9	Unspecified diseases of blood and blood forming organs.
L)	V07.3	Other prophylactic chemotherapy.
	~~V10.0-V10.9~~	~~Personal-history-of-malignant-neoplasms.~~
M)	V07.8	Other specified prophylactic measures.
	~~V58.0~~	~~Radiation-therapy-for-malignancy.~~
N)	V10.0-V10.9	Personal history of malignant neoplasms.
	~~V58.1~~	~~Maintenance-chemotherapy.~~
O)	V58.0	Radiation therapy for malignancy.
	~~V66.1~~	~~Convalescence-following-radiotherapy.~~
P)	V58.1	Maintenance chemotherapy.
	~~V66.2~~	~~Convalescence-following-radiation-therapy.~~
Q)	V66.1	Convalescence following radiotherapy.
	~~V67.1~~	~~Follow-up-exam-following-radiation-therapy.~~
R)	V66.2	Convalescence following radiation therapy.
	~~V67.2~~	~~Follow-up-exam-following-chemotherapy.~~
S)	V67.1	Follow-up exam following radiation therapy.
	~~V76~~	~~Special-screening-for-malignant-neoplasms.~~
T)	V67.2	Follow-up exam following chemotherapy.
U)	V71.1	Observation for suspected malignant neoplasm.
V)	V76	Special screening for malignant neoplasms.
Procedure Codes		
W)	41.31	Bone marrow biopsy.
X)	92.21-92.29	Therapeutic radiology and nuclear medicine.
Y)	99.25	Injection of infusion of cancer chemotherapeutic substance.

2) All pathology and cytology reports from the facility with a positive morphologic diagnosis of cancer shall be reviewed for reportable neoplasms, including reports on inpatient and outpatient surgical resections and biopsy specimens, bone marrow biopsies, cytology specimens and autopsies.

3) Any conflict of interpretation of cancer incidence shall defer to the clinician's determination.

i) All reporting facilities shall submit the incidence report form(s) on a monthly basis as described below:

1) All facilities that submit their forms electronically shall use the North American Association of Central Cancer Registries data exchange record layout in the version specified by the Registry. ~~with--names--beginning--with-the-first-letter-of-A-G-shall-report during-the-1st-week-of-the-month.~~

~~2) All-facilities-with-names-beginning-with--the--first--letter--H-N shall-report-during-the-2nd-week-of-the-month.~~

~~3) All-facilities-with-names-beginning-with-the-first-letter-S-shall report-during-the-3rd-week-of-the-month.~~

24) All facilities submitting manually shall use the Registry Cancer Incidence Report form provided by the Department. ~~with--names beginning--with--the--first-letter-O-R-(excluding-S)-shall-report during-the-4th-week-of-the-month.~~

(Source: Amended at 24 Ill. Reg. 3685, effective FEB 18 2000)

SUBPART C: ADVERSE PREGNANCY OUTCOMES REPORTING SYSTEM

Section 840.210 Adverse Pregnancy Outcomes Information Required to be Reported

a) Every hospital shall participate in the Adverse Pregnancy Outcomes Reporting System by reporting each adverse pregnancy outcome incident to the Department.

b) An adverse pregnancy outcome incident consists of any infant which meets one of the criteria set forth below prior to discharge from newborn hospitalization:

1) Discharge from a patient care unit or bassinet(s) designated by the hospital to provide intensive care services requiring constant nursing services and continuous cardiopulmonary and other support services for infants with life threatening conditions (stay in the unit must exceed 24 hours);

2) Diagnosis of a positive urine toxicology for any drug (ICD-9-CM 779.5) and/or showing signs of drug toxicity or withdrawal;

3) Diagnosis with a congenital anomaly as defined by ICD-9-CM codes, ranging from 740.0 to 759.9;

4) A serious congenital infection,

A) syphilis (ICD-9-CM 090.0 - 090.9), or

B) prenatal exposure to hepatitis B (ICD-9-CM V01.7) or

diagnosis of hepatitis B (ICD-9-CM 774.4), ~~congenital infections-(ICD-9-CM-771);~~

C) gonococcal (ICD-9-CM 098.0 - 098.89),

D) chlamydial (ICD-9-CM 079.88 or 079.98),

E) herpes (ICD-9-CM 771.2),

F) group B streptococcus (ICD-9-CM 041.02),

G) listeriosis (ICD-9-CM 027.0 or 1CD-9-CM 771.2), and

H) congenital infections (ICD-9-CM 771.0 - 771.8);

5) An endocrine, metabolic or immune disorder,

A) hypothyroidism (ICD-9-CM 243),

B) adrenogenital syndrome (ICD-9-CM 255.2),

C) inborn errors of metabolism (ICD-9-CM 270 - to 273),

D) cystic fibrosis (ICD-9-CM 277.0), and

E) immune deficiency disorder (ICD-9-CM 279.2);

6) A blood disorder,

A) leukemia (ICD-9-CM 204 - to 208),

B) hereditary hemolytic anemias (ICD-9-CM 282),

C) constitutional aplastic anemia (ICD-9-CM 284), and

D) coagulation defects (ICD-9-CM 286);

7) Other conditions,

A) neurofibromatosis (ICD-9-CM 237.7),

B) retinopathy of prematurity (ICD-9-CM 362.21),

C) chorioretinitis (ICD-9-CM 363.2),

D) strabismus (ICD-9-CM 378),

E) endocardial fibrelastosis (ICD-9-CM 425.3),

F) occlusion of cerebral arteries (ICD-9-CM 434),

G) fetal alcohol syndrome (ICD-9-CM 760.71),

H) intrauterine growth retardation (ICD-9-CM 764.9), and

I) cerebral lipidoses (ICD-9-CM 330.1);

8) A birth weight of less than 1501 grams; or

9) Diagnosis as a perinatal or neonatal death.

AGENCY NOTE: Fetal death (gestation greater than 20 weeks) is considered an adverse pregnancy outcome and will be included in the APORS database. However, fetal deaths do not have to be reported through APORS, because these deaths are already reported and compiled in the Department's Vital Records database. In addition, the products of induced abortions shall not be reported to APORS.

c) Every hospital shall provide the following information when reporting each adverse pregnancy outcome incident: ~~The--APORS--will-also-be complemented-with-information--from--the--Department's--Vital--Records database--under--the--Vital--Records--Act-and-other-Maternal-and-Child Health-reports-and-submissions.~~

1) The name, location and hospital identification number (a 4-digit number supplied by the Department) of the reporting hospital;

2) The name, location and hospital identification number (a 4-digit number supplied by the Department) of the delivery hospital;

3) The infant's patient identification number, medical records

number, admission date, delivery ate, discharge date, first and last names, also known as name, date of birth, gender, race, Hispanic ethnicity, gestational age, birth weight, and medical diagnoses;

4) Whether the infant was admitted to a designated patient unit (subsection (b)(l)) and stayed more than 24 hours;

5) Whether the infant had a positive urine toxicity for any drug and/or showed signs of drug toxicity or withdrawal, and the name of the drug(s) indicated;

6) The mother's first, last, and maiden names; telephone number; address; country of residence; hospital medical record number; marital status; and age; and information on her history of pregnancies (number of pregnancies, number of full term births, number of premature births, number of abortions (spontaneous and induced), and number of living children);

7) The father's first and last names;

8) Discharge information, including infant death, home, other hospital, long-term care facility, and other agency;

9) The type of delivery (vaginal or Cesarian section);

10) The type of feeding the infant is receiving at discharge;

11) The infant's weight, head circumference, and length at discharge;

12) Infant treatment, medication, and other concerns at discharge;

13) The name and telephone number of a nurse contact at the reporting hospital;

14) The name, address and telephone number of a relative or friend with a description of that person's relationship to the infant;

15) Whether the family was informed that a Local Health Department or Health Agency would be visiting the family to offer follow-up services, and the name and identification code number for the Local Health Department or Health Agency that will be serving the family;

16) The name of the infant's primary care physician;

17) The type of social services the infant's family is receiving or will receive at discharge; and

18) The name and title of the person preparing the report with the date the report was made.

d) The APORS will also be complemented with information from the Department's Vital Records database under the Vital Records Act and other Maternal and Child Health reports and submissions.

(Source: Amended at 24 Ill. Reg. 3685, effective FEB 18 2000)

Section 840.215 Methods of Reporting APORS Information

a) The Adverse Pregnancy Outcomes Reporting System consists of one form of reporting. This reporting shall be on the forms provided by the Department or through electronic means compatible with the

Department's data processing system. Every hospital shall develop procedures and policies for identifying reportable infant cases to APORS. ~~{See Appendix B, Exhibit A.}~~

b) The Infant Discharge Record ~~{Appendix B, Exhibit A}~~ shall be provided by the Department and completed by the hospital providing the highest level of care and distributed within seven days of discharge (see ~~See~~ 77 Ill. Adm. Code 250.1820 and 77 Ill. Adm. Code 640 for explanation of levels of care). The form must be typed or completed in ball point pen. In addition, all dates must be entered in numeric form.

c) The Infant Discharge Record shall be distributed in the following manner:

1) The original form (white copy) of the Infant Discharge Record must be sent to the Department's Division of Epidemiologic Studies, 605 West Jefferson, Springfield, Illinois 62761 ~~62702-9986~~;

2) The canary copy of each form must be sent to the Local Health Department or Health Agency in the county of the mother's residence;

3) The pink copy of each form must be sent to the patient's primary care physician;

4) The goldenrod copy may be retained by the reporting facility.

d) When electronic media are used to report an Infant Discharge Record to the Department, the reporting hospital shall send a copy of the report to the Local Health Department or Health Agency in the county of the mother's residence, and to the patient's primary care physician. The reporting hospital shall maintain a copy of the report or maintain a computer file of the report. ~~The maternal supplement (Appendix B, Exhibit B) will be completed by Department field abstractors. The abstractors will go to hospitals and abstract the maternal information from the mother's delivery record. When the extended electronic birth certificate system is implemented, the hospital will submit the maternal information to the Department as part of the infant's extended electronic birth certificate.~~

e) The Department shall collect maternal information. The Department's field abstractors will go to hospitals and abstract the maternal information from the mother's delivery record. When the extended electronic birth certificate system is implemented, the hospital will submit the maternal information to the Department as part of the infant's extended electronic birth certificate. The Department will collect the following:

1) The mother's social security number, date of birth, date of last menstrual period, weight change, history of cigarette use, alcohol use during pregnancy, use of drugs during pregnancy, employment during pregnancy, and diagnoses;

2) Whether public funding was used for the hospitalization of the mother or if the mother had applied for public funds during her time of hospitalization;

3) Whether a prenatal ultrasound was performed during the pregnancy;

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and

4) Information on labor and delivery, including the type of delivery, use of chemical stimulation to begin or augment labor, and the use of an electronic fetal monitor.

(Source: Amended at 24 Ill. Reg. 3685, effective FEB 18 2000)

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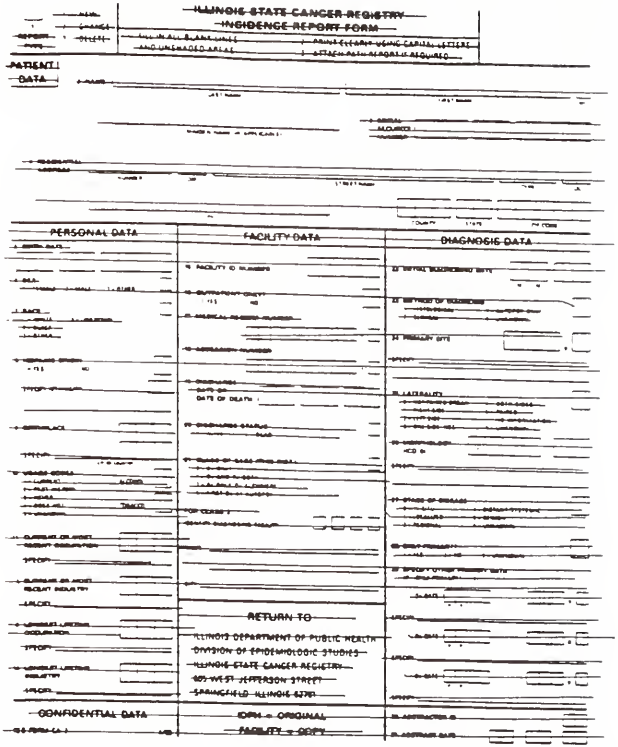
Section 840.APPENDIX A ISCR Incidence Report Form (Repealed)



(Source: Repealed at 24 Ill. Reg. 3685, effective

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Section 840.APPENDIX B Instructions for APORS Reporting (Repealed)

Section 840.EXHIBIT A Instructions for Completing Infant Discharge Record (Repealed)

~~a) Reporting--hospital--and--city.---Print--the--name--and--city--of-your hospital.---Do--not--enter--the--code;--it--will--be--entered--by--the Department.~~

~~b) Delivery-hospital-and-city.--Print-the-name-of-the-hospital--or--other location--at--which--the--birth-occurred.--For-out-of-hospital-births, identify-the-location-by-address-or-by-description,-e.g.,-"enroute--to hospital".--Print-the-city-(and-the-state-if-not-in-Illinois)-in-which the--birth-occurred.--Do-not-enter-the-code;-it-will-be-entered-by-the Department.~~

~~c) Patient-ID#.--Enter-the-patient-number-used-by-your-hospital-which--is unique--to--each--admission.---This--number-is-usually-assigned-by-the business-office-and-may-be-different-from-the-medical-record-number.~~

~~d) (Infant's)-Med-Rec-#-(Medical--Record--Number).----Enter--the--infant's medical-record-number.~~

~~e) Adm--date-(admission-date).--Enter-the-date-the-infant-was-admitted-to your-facility.--For-deliveries-which-occurred--within--your--facility, the-admission-date-and-delivery-date-will-be-identical.~~

~~f) (Infant's)--last--name--and-first-name.--Print-the-name-of-the-infant, last-name-first.--The-name-entered-here-should-be-identical--with--the name-on-the-birth-certificate.~~

~~g) Delivery-(date).--Enter-the-date-of-birth.~~

~~h) AKA--name--(Also--known--As).---Print-any-other-last-name-by-which-the infant-is-known.~~

~~i) D/C-Date-(Discharge-Date).--Enter-the-date-the-infant--was--discharged from--your--facility.---For--infant--deaths--which--occur--within--the hospital,--use--the--date--of--death-as-the-discharge-date.--Transfers should-be-treated-as-follows:~~

~~1) For-an-infant-transferred-from-one-unit-to--another--within--your hospital--(e.g.,--from-newborn-nursery-to-designated-patient-care unit-to-intermediate-nursery),-enter--the--date--the--infant--was discharged-from-the-facility.~~

~~2) For--an--infant-transferred-from-a-Level-III-hospital-to-either-a Level-II-or-I,-or-from-a-Level-II-to-a-Level-I,-enter-the-date-of transfer.~~

~~3) For-an-infant-transferred-from-one-Level-III-to-another,-from-one Level-II-to-another,-or-from-one-Level-I--to--another,--only--the hospital--providing-the-higher-level-of-care-completes-the-Infant Discharge-Record-(at-the-time-of-discharge-from-their-facility).~~

~~4) For-an-infant-transferred-from-a-Level-I-hospital-to-a--level--II or--III,-or-from-a-Level-II-to-a-Level-III,-only-the-higher-level facility-completes-the-Infant-Discharge-Record-(at--the--time--of discharge-from-their-facility).~~

~~j) Sex.--Check-the-appropriate-box.~~

k) Race.----Check--the--appropriate--box.---Whenever--possible,--use--the designation-the-parents-feel-is-most-appropriate-for-their-infant.

l) Hispanic.--Check-the-appropriate-box.--The-infant-should-be-designated as-Hispanic-if-either-parent-is-identified-with-that-ethnic-group.--If no-information-is-available,-then-check-N/A,-not-available.--Note:--Be sure-to-mark-both-"Race"-and-"Hispanic"--for--all--infants.---Hispanic persons-may-belong-to-any-race.

m) Diagnoses.---List-all-infant-diagnoses-and/or-conditions-including-all congenital-anomalies-and-genetic-disorders.--At-least-one--entry--must be--made--here.---Do--not-enter-the-codes;-they-will-be-entered-by-the Department.

n) Delivery-type.--Check-the-appropriate--box--to--indicate--whether--the delivery-was-a-vaginal-delivery-or-cesarean-section.

o) Gestational--age--(GA).--Enter-the-number-of-weeks-spent-in-utero-from conception-to-the-time-of-birth.

1) The-Dubowitz-Assessment--of--gestational--age--is--the--preferred method-of-determining-GA.

2) If--the--Dubowitz--score-is-not-available,-record-GA-based-on-the last-menstrual-period-(LMP).

3) If-GA-based-on-LMP-is-not-available,-record-GA-based--on--general appearance-of-infant.

p) Admit--to--a--designated--patient--unit.--Check-the-appropriate-box-to report-whether-the-infant-was-admitted-to-a--designated--patient--care unit.---A--designated--patient--care--unit--is-as-specified-in-Section 840.210(a)(1)-of-this-Part,-a-unit-or-bassinet(s)--designated--by--the hospital-to-provide-intensive-care-services-requiring-constant-nursing services-and-continuous-cardiopulmonary-and-other-support-services-for infants-with-life-threatening-conditions-(stay-in-the-unit-must-exceed 24-hours).

q) Consult-perinatal-center-(infant).

1) Check--Box--1--if--an-attending-physician-at-a-community-hospital contacted-a-Perinatal-Center-regarding-care--of--the--infant--and subsequently-transferred-the-infant-to-the-center.

2) Check-Box-2-if-such-a-consultation-was-made-without-a-transfer.

3) Check-Box-3-if-no-consultation-was-made.

4) Check-Box-9-if-no-information-about-a-consultation-is-available.

r) Consult-perinatal-center-(maternal).

1) Check--Box--1--if--an-attending-physician-at-a-community-hospital contacted-a-Perinatal-Center-regarding-care--of--the--mother--and subsequently-transferred-the-mother-to-the-center.

2) Check-Box-2-if-such-a-consultation-was-made-without-a-transfer.

3) Check-Box-3-if-no-consultation-was-made.

4) Check-Box-9-if-no-information-about-a-consultation-is-available.

s) Drug--toxicity--or--withdrawal.--Enter-yes-or-no-if-there-is-an-infant report-of-a-urine-toxicology-or-signs-or-symptoms-of-drug--withdrawal. If-yes,-enter-the-specific-drug-on-the-line-after-"specify".

t) Birth-Weight.--Enter-the-infant's-birth-weight-in-grams.

u) Discharge--Weight.---Enter--the-weight-(in-grams)-of-the-infant-at-the

time-of-discharge.

v) Birth--head--(circumference).---Enter--the--head---circumference---(in centimeters)-of-the-infant-at-birth.

w) Discharge--head--(circumference).---Enter--the--head-circumference-(in centimeters)-of-the-infant-at-the-time-of-discharge.

x) Birth-length.--Enter-the-crown-heel-length--(in--centimeters)--of--the infant-at-birth.

y) Discharge-length.--Enter-the-crown-heel-length-(in-centimeters)-of-the infant-at-the-time-of-discharge.

z) (Mother's)--last-name,-first-name,-maiden-name.--Print-the-last,-first and-maiden-name-of-the-infant's-mother.--Enter-the--maiden--name--even when--it--is-identical-with-the-last-name.--If-married-and-maiden-name is-not-known-enter-unknown.

aa) (Mother's)-Med-Rec#--(Medical--Record--Number).----Enter--the--mother's medical--record--number--assigned--by--the--hospital--of--delivery,-if available.

bb) Father's-last-name-and-first-(name).--Print-the-name-of--the--infant's father,-if-available.

cc) Address.---Print-house-number,-street,-city,-and-state-of-the-infant's mother.

dd) County.--Print-the-name-of-the-county-in-which-the-mother-resides.--Do not-enter-the-code;-it-will--be--entered--at--Illinois--Department--of Public-Health.

ee) Zip.--Enter-the-mother's-zip-code.

ff) Phone.--Print-the-local-phone-number-of-the-infant's-mother,-including area-code.

gg) Marital--status.---Check--the--appropriate--box--to--indicate-mother's marital-status.

hh) Gravida.--Enter-total-number-of--pregnancies,--including--the--present pregnancy,-of-the-infant's-mother.

ii) Para.--Complete-each-line-as-instructed.

P---Number-of-full-term-births.

P---Number-of-premature-births.

A---Number-of-abortions,-spontaneous-and-induced.

L---Number-of-living-children.

All--deliveries,--including-the-newborn,-are-to-be-included-in-P, P,-or-A.-The-newborn-must-also-be-included--in--L--if--discharged alive-from-the-reporting-hospital.

jj) Age.--Enter-the-mother's-age-at-last-birthdate.

kk) Complications---of--pregnancy.---Print--all--complications--that--were recorded-as-occurring-during-or-as-a-result--of--the--pregnancy.---The following-list-provides-examples-of-acute-complication-narratives.--It is-not-inclusive-of-all-pregnancy-complications.

1) Chronic-hypertension

2) Gestational-diabetes

3) Juvenile-onset-diabetes

4) Third-trimester-uterine-bleeding

5) Toxemia-of-all-classes

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6) Polyhydramnios or oligohydramnios
7) Thrombo-embolic disease
8) Multiple pregnancy
9) Inappropriate fetal growth for gestational age
10) Persistent abnormal presentation
11) Postdate pregnancy
12) Premature rupture of membranes
13) Premature labor
14) Tumor or other obstruction of birth canal
15) Feto-pelvic disproportion
16) Active genital herpes

ll) Discharge information.
1) Check Box 1 for infant death. List the cause of death under Diagnoses.
2) (Do not use Box 2, Department will identify fetal deaths from Fetal Death Certificates.)
3) Check Box 3 for an infant discharged to the mother's home or to any other family setting. If the infant is discharged to a family setting other than the mother's, as shown in "Address" above, please explain in "Other Concerns" space below.
4) Check Box 4 to report transfer to another hospital, and specify the name and location (city) of that hospital. Do not enter the code, it will be entered at IBPH.
5) Check Box 5 to report discharge to any long term care facility. Print the name and location of the facility.
6) Check Box 6 to report discharge to any public or private child services or welfare agency such as the Illinois Department of Children and Family Services (DCFS). Print the name and location of the agency. Send the first three copies of the Infant Discharge Record to IBPH. DO NOT distribute copies to the local health department or primary care physician.

mm) Feedings. Check the appropriate box. If the infant is bottle feeding or on a nasogastric tube, specify formula type, frequency and amount of feeding.

nn) Infant B/C treatment (infant discharge treatment). Print all specific treatments, excepting medications, for the infant upon discharge.

oo) Infant medication. Print the names, dosages and route of administration of all medications the infant is receiving upon discharge.

pp) Other concerns. Describe any other concerns health, social, developmental the local public health nurse should know about when making a home visit. If the infant was discharged to a home other than the mother's, please specify the address and the name of the caretaker.

qq) RN contact at hospital and phone. Print the name and telephone number, including area code, of the reporting hospital nurse who can be contacted regarding the infant by the public health nurse making home visits to the patient.

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rr) Print the name of a friend, relative or other person who would know how to reach the infant's parents. Specify the exact relationship (mother, father, sister, uncle, friend, pastor) of the contact person to the infant's parents.

ss) Address and phone. Print the contact person's house number, street name, city, state and telephone number, including area code in parenthese.

tt) Family informed of BHN visit. Check whether the family has been informed that a local public health nurse will visit their home.

uu) BHN Agency. Print the name of the local health agency to whom the infant was referred for follow up services. Refer to the local health agency in the county of the mother's residence. See the list of such agencies and the areas they serve, provided by the Department. Do not enter the code, it will be entered by the Department.

vv) Current support services. Check the appropriate box(es) to indicate the social services the infant's family is receiving, or will receive upon discharge, for this infant.
1) Check Box 1 if the family is receiving services for this infant from a community social service agency, or if a referral for such services has been made.
2) Check Box 2 if the Division of Services to Crippled Children is providing services to this infant, or if a referral to BSCC has been made.
3) Check Box 3 if the Department of Children and Family Services is providing services to the family for this infant, or if a referral to BCFS has been made.
4) Check Box 4 if the family is receiving services for this infant from any other agency, or if a referral for such services has been made. Specify the agency by name.
5) Check Box 5 if the family is receiving no support services for this infant.

ww) Primary care physician's name. Print the name of the infant's local primary care physician.

xx) Signature and title. Enter your name and title.

yy) Report date. Print the date the form is completed.

(Source: Repealed at 24 Ill. Reg. 3685, effective FEB 18 2000)

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Section 840.EXHIBIT B Instructions for Completing Maternal Supplement (Repealed)

a) Social--security--number.---Enter-the-mother's-social-security-number. If-the-mother's-social-security-number-is-unknown,-enter-9's.

b) Date-of-birth.--Enter-the-month,--day--and--last--two--digits--of--the mother's--year-of-birth.--If-any-portion-of-the-date-is-missing,-leave the-space-blank.

c) Public-funding.--Check-the-appropriate-box-to-indicate-if-public-funds were-used-for-the-hospitalization-of-the-mother-or-if-the--mother--has applied-for-public-funds-during-the-time-of-hospitalization.

1) Check--code--1--if-mother's-payment-source-is-medicaid,-medicare, PPA,-PPAC-or-state-funded-HMO-(health--maintenance--organization) or-when-application-for-any-of-these-funds-is-documented.

2) Check--code--2--if--mother's-payment-source-is-private-insurance, self-pay,-Champus,-or-HMO-(other-than-state-funded-HMO).

3) Check-code-8-if-mother's-medical--record--is--not--available--for review.

4) Check--code-9-when-no-documentation-of-mother's-method-of-payment is-on-the-medical-record.

d) Weight-Chg------BBS-(weight-change).--Enter-the-number-of--pounds--the mother--gained--or--lost--from--the--time-of-conception-to-the-time-of delivery.--If-code-8-or-9-is-used,-leave-the-number-of-pounds-blank.

1) Check-code-1-if-number-of-pounds-is-weight-gain.

2) Check-code-2-if-number-of-pounds-is-weight-loss.

3) Check-code-8-if-mother's-medical--record--is--not--available--for review.

4) Check--code--9--if--unable--to--determine--weight-change-from-the mother's-medical-record.

e) LMP-date-(last-menstrual-period).--Enter-the-month,-day,-and-last--two digits--of--year--of--mother's-menstrual-period.--If-any-period-of-the date-is-missing,-leave-the-space-blank.

f) Cigarettes-used.--This-element-is-limited-to--the--usage--of--tobacco. Marijuana-usage-is-recorded-in-the-element-"mother-used-drugs".

1) Check--code--1--if--the--mother-has-smoked-cigarettes-during-this pregnancy.

2) Check-code-2-if-the-mother-stopped-smoking-during-this-pregnancy.

3) Check-code-3-if-the-mother-smoked-in-the-past-but-stopped-smoking prior-to-this-pregnancy.

4) Check-code-4-if-the-mother-does-not-smoke-or-denies-smoking.

5) Check-code-8-if-the-mother's-medical-record-is-not-available--for review.

6) Check--code--9-when-there-is-no-mention-of-cigarette-usage-in-the medical-record-or-when-a-pre-printed-form-with-smoking-or-tobacco usage-is-blank.

g) Alcohol-used.

1) Check-code-1-if-the--mother--has--consumed--alcohol--during--this pregnancy.

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2) Check--code--2-if-the-mother-has-not-consumed-alcohol-during-this pregnancy.

3) Check-code-8-if-the-mother's-medical-record-is-not-available--for review.

4) Check-code-9-if-there-is-no-mention-of-alcohol-consumption-in-the mother's-medical-record.

h) Prenatal-ultrasound.

1) Check--code--1--if--the--mother-received-ultrasound,-sonogram,-or echogram-during-this-pregnancy-prior-to-delivery.

2) Check-code-2-if-the-mother-did-not-receive-ultrasound,--sonogram, or--echogram-prior-to-delivery.--Also-use-this-code-if-the-record states-no-prenatal-care,-unless-there-is-an-ultrasound-documented after-admission-and-before-delivery.

3) Check-code-8-if-the-mother's-record-is-not-available-for-review.

4) Check-code-9-if-there-is-no-mention-of-ultrasound,--sonogram,--or echogram-in-the-mother's-medical-record.

i) Assistance-(chem-stimul)-(chemical-stimulation).

1) Check-code-1-if-chemical-stimulation-was-used-to-begin-or-augment labor-(i.e.,-pitocin,-oxytocin).

2) Check--code--2--if--no--chemical-stimulation-was-used-to-begin-or augment--labor,--or--when--there--is--no--mention---of---chemical stimulation.

3) Check--code-8-if-the-mother's-medical-record-is-not-available-for review.

j) EPM-during-delivery-(delivery).

1) Check-code-1-if-an-internal-monitor-or--transducer--was--used--to monitor-the-fetus-during-the-course-of-labor-and-delivery.

2) Check--code--2--if--an-external-monitor-or-transducer-was-used-to monitor-the-fetus-during-the-course-of-labor-and-delivery.

3) Check-code-3-if-both-internal-and-external-monitors-of--any--type were-used-to-monitor-the-fetus-during-labor-and-delivery.

4) Check-code-4-if-no-monitoring-was-done-during-the-course-of-labor and-delivery.

5) Check--code-8-if-the-mother's-medical-record-is-not-available-for review.

k) Delivery-type.

1) Check-code-1-if-the-mother-had-a-spontaneous-vaginal-delivery.

2) Check-code-2-if-the-delivery-was-done-with-mid-low-forceps.

3) Check-code-3-if-delivery-was-a-vacuum-extraction.

4) Check-code-4-if-the-delivery-was-vaginal-breach.

5) Check-code-5-if-a-primary-caesarean-section-was-performed.

6) Check-code-6-if-a--secondary--or--repeat--caesarean--section--was performed.

7) Check--code--7--if--other--type-of-delivery-not-listed-in-codes-1 through-6-was-performed.

8) Check-code-8-if-the-mother's-medical-record-is-not-available--for review.

9) Check--code--9-if-the-medical-record-does-not-contain-information

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identifying the type of delivery.

l) Mthr used drugs (mother).--Record any drug use that is documented as occurring during this pregnancy.

1) Check code 0 if the mother has used opioid during this pregnancy.

2) Check code 1 if the mother has used barbiturate during this pregnancy.

3) Check code 2 if the mother has used cocaine during this pregnancy.

4) Check code 3 if the mother has used cannabis during this pregnancy.

5) Check code 4 if the mother has used drugs during this pregnancy that are not listed in codes 0 through 3.

6) Check code 5 if the mother has used a combination of any drugs listed in codes 0 through 3 during this pregnancy.

7) Check code 6 if the mother has not used any drugs during this pregnancy.

8) Check code 8 if the mother's medical record is not available for review.

9) Check code 9 if there is no documentation of mother's drug use during this pregnancy.

m) Mother employed while pregnant.

1) Check code 1 if the mother was employed at any time during this pregnancy.

2) Check code 2 if the mother was unemployed during this pregnancy.

3) Check code 8 if the mother's medical record is not available for review.

4) Check code 9 if there is no indication of the mother's employment status.

n) Occupation (mother's).--Enter the title of the mother's current or most recent occupation regardless of what the mother has done over her lifetime.---If the current or most recent occupation is unknown, enter unknown.--If the mother is currently unemployed, but her most recent occupation is known, enter the title of her most recent occupation.

o) Industry (mother's).---Enter the industry by which the mother is currently or was most recently employed.--Industry is any branch of trade, business, or manufacturing.--If the industry cannot be defined, enter the name and address of the company.

p) Father employed.

1) Check code 1 if the father was employed.

2) Check code 2 if the father was unemployed.

3) Check code 8 if the mother's medical record is not available for review.

4) Check code 9 if the father's employment status is unknown.

q) Occupation (father's).--Enter the title of the father's current or most recent occupation regardless of what the father has done over his lifetime.---If the current or most recent occupation is unknown, enter unknown.--If the father is currently unemployed, but his most recent occupation is known, enter the title of his most recent occupation.

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r) Industry (father's).---Enter the industry by which the father is currently or was most recently employed.--Industry is any branch of trade, business, or manufacturing.--If the industry cannot be defined, enter the name and address of the company.

s) Mother's diagnoses.---Record the narrative of the mother's diagnoses from the delivery medical record.

(Source: Repealed at 24 Ill. Reg. 3685, effective FEB 18 2000)

ILLINOIS LIQUOR CONTROL COMMISSION

NOTICE OF WITHDRAWAL TO MEET THE OBJECTION OF THE JOINT COMMITTEE ON ADMINISTRATIVE RULES

1) Heading of the Part: The Illinois Liquor Control Commission

2) Code Citation: 11 Ill. Adm. Code 100

3) Section Numbers: Proposed Action:
100.130 Withdrawal

4) Date Notice of Proposed Rules Published in the Illinois Register: October 15, 1999, 23 Ill. Reg. 12518

5) Date Statement of Objection Published in the Register: February 25, 2000; 24 Ill. Reg. 3427

6) Summary of Action Taken by the Agency: The Commission does not want to proceed with the amendment at this time.

ILLINOIS GAMING BOARD

January 2000 REGULATORY AGENDA

a) Part (Heading and Code Citation): Riverboat Gambling, 86 Ill. Adm. Code 3000

1) Rulemaking

A) Description: Rulemaking is being considered to set the hours for the sale of alcoholic beverages under Section 3000.930. As Section 11.2 amendments face a constitutional challenge, amendments may be needed to implement that Section if found constitutional or to implement revisions to existing rules if found unconstitutional.

B) Statutory Authority: Riverboat Gambling Act, 230 ILCS 10

C) Scheduled meeting/hearing dates: The schedule of Illinois Gaming Board meeting dates have been adopted for 2000, although no specific schedule for Board review of proposed rulemakings has been established at this time. Prior to Board consideration and action in a public meeting, changes to the rules will be discussed with licensees and their representatives.

D) Date agency anticipates First Notice: During the first three months of the year.

E) Affect on small businesses, small municipalities, or not for profit corporations: None expected

F) Agency contact person for information:

Name: Mareil B. Cusack
Address: Chief Legal Counsel
Illinois Gaming Board
160 North LaSalle Street, Suite 300S
Chicago, Illinois 60601
Telephone: (312)814-4700; FAX (312)814-4602

G) Related rulemakings and other pertinent information: None at this time

JOINT COMMITTEE ON ADMINISTRATIVE RULES

STRATTON OFFICE BUILDING
ROOM C-1
SPRINGFIELD, ILLINOIS
9:00 A.M.
MARCH 7, 2000

NOTICES: Due to *Register* submittal deadlines, the Agenda below may be incomplete. Other items not contained in this published Agenda are likely to be considered by the Committee at the meeting.

It is the policy of the Committee to allow only representatives of State agencies to testify orally on any rule under consideration at Committee hearings. If members of the public wish to express their views with respect to a proposed rule, they should submit written comments to the Office of the Joint Committee on Administrative Rules at the following address:

Joint Committee on Administrative Rules
700 Stratton Office Building
Springfield, Illinois 62706

RULEMAKINGS SCHEDULED FOR JCAR REVIEW

The following rulemakings are scheduled for review at this meeting. JCAR staff may be proposing action with respect to some of these rulemakings. JCAR members may have questions concerning, and may initiate action with respect to, any item scheduled for JCAR review and any other issues within the Committee's purview.

PROPOSED RULEMAKINGS

Banks and Real Estate

1. Electronic Fund Transfers (38 Ill Adm Code 315)
   -First Notice Published: 23 Ill Reg 14140 - 12/10/99
   -Expiration of Second Notice: 3/17/00

Commerce and Community Affairs

2. Economic Development Through a Growing Economy Program (EDGE) (14 Ill Adm Code 527)
   -First Notice Published: 23 Ill Reg 10615 - 9/3/99
   -Expiration of Second Notice: 4/18/00

Education

3. Determining Special Education Per Capita Tuition Charge (23 Ill Adm Code 130)
   -First Notice Published: 23 Ill Reg 6990 - 6/18/99
   -Expiration of Second Notice: 3/17/00

JOINT COMMITTEE ON ADMINISTRATIVE RULES

STRATTON OFFICE BUILDING
ROOM C-1
SPRINGFIELD, ILLINOIS
9:00 A.M.
MARCH 7, 2000

4. School Construction Program (23 Ill Adm Code 151)
   -First Notice Published: 23 Ill Reg 13295 - 11/5/99
   -Expiration of Second Notice: 3/11/00

Environmental Protection Agency

5. Water Supply Operator Certification (35 Ill Adm Code 680)
   -First Notice Published: 23 Ill Reg 13511 - 11/12/99
   -Expiration of Second Notice: 3/29/00

Health Facilities Planning Board

6. Narrative and Planning Policies (77 Ill Adm Code 1100)
   -First Notice Published: 23 Ill Reg 12997 - 10/22/99
   -Expiration of Second Notice: 3/15/00

7. Processing, Classification Policies and Review Criteria (77 Ill Adm Code 1110)
   -First Notice Published: 23 Ill Reg 13003 - 10/22/99
   -Expiration of Second Notice: 3/15/00

8. Health Facilities Planning, Financial and Economic Feasibility Review (77 Ill Adm Code 1120)
   -First Notice Published: 23 Ill Reg 12936 - 10/22/99
   -Expiration of Second Notice: 3/15/00

9. Health Facilities Planning Procedural Rules (77 Ill Adm Code 1130)
   -First Notice Published: 23 Ill Reg 12957 - 10/22/99
   -Expiration of Second Notice: 3/15/00

10. Public Hearing and Comment Procedures (77 Ill Adm Code 1140)
    -First Notice Published: 23 Ill Reg 13039 - 10/22/99
    -Expiration of Second Notice: 3/15/00

11. Repeal of Public Notice of Opportunity for Public Hearing and Public Hearing Procedures (77 Ill Adm Code 1200)
    -First Notice Published: 23 Ill Reg 13030 - 10/22/99
    -Expiration of Second Notice: 3/15/00

Human Services

12. Advisory Councils (89 Ill Adm Code 515)
    -First Notice Published: 23 Ill Reg 13176 - 10/29/99
    -Expiration of Second Notice: 3/18/00

JOINT COMMITTEE ON ADMINISTRATIVE RULES

STRATTON OFFICE BUILDING
ROOM C-1
SPRINGFIELD, ILLINOIS
9:00 A.M.
MARCH 7, 2000

Natural Resources

13. Disabled Hunting Method Authorizations (17 Ill Adm Code 760)
-First Notice Published: 23 Ill Reg 14192 - 12/10/99
-Expiration of Second Notice: 3/16/00

14. Commercial Fishing and Musseling in Certain Waters of the State (17 Ill Adm Code 830)
-First Notice Published: 23 Ill Reg 14653 - 12/27/99
-Expiration of Second Notice: 3/25/00

Public Health

15. Community-Based Residential Rehabilitation Center Demonstration Program Code (77 Ill Adm Code 220)
-First Notice Published: 23 Ill Reg 13783 - 11/19/99
-Expiration of Second Notice: 4/1/00

16. Hospital Licensing Requirements (77 Ill Adm Code 250)
-First Notice Published: 23 Ill Reg 12579 - 10/15/99
-Expiration of Second Notice: 3/11/00

17. Emergency Medical Services and Trauma Center Code (77 Ill Adm Code 515)
-First Notice Published: 23 Ill Reg 11413 - 9/17/99
-Expiration of Second Notice: 3/31/00

18. Automated External Defibrillator Code (77 Ill Adm Code 525)
-First Notice Published: 23 Ill Reg 13776 - 11/19/99
-Expiration of Second Notice: 3/25/00

19. Hearing Screening (77 Ill Adm Code 675)
-First Notice Published: 23 Ill Reg 5062 - 4/23/99
-Expiration of Second Notice: 3/16/00

Revenue

20. Electronic Filing of Illinois Individual Income Tax Returns (86 Ill Adm Code 105)
-First Notice Published: 23 Ill Reg 13999 - 11/29/99
-Expiration of Second Notice: 3/16/00

EMERGENCY AND PEREMPTORY RULEMAKINGS

Board of Trustees of U of I

JOINT COMMITTEE ON ADMINISTRATIVE RULES

STRATTON OFFICE BUILDING
ROOM C-1
SPRINGFIELD, ILLINOIS
9:00 A.M.
MARCH 7, 2000

21. Relocation Assistance (71 Ill Adm Code 2400)
-First Notice Published: 24 Ill Reg 2743 - 2/18/00

Central Management Services

22. Pay Plan (80 Ill Adm Code 310) (Peremptory)
-Notice Published: 24 Ill Reg 3399 - 2/25/00

Children and Family Services

23. Day Care Information Line (89 Ill Adm Code 378) (Emergency)
-Notice Published: 24 Ill Reg 2476 - 2/14/00

Commerce and Community Affairs

24. International Tourism Program (14 Ill Adm Code 555) (Emergency)
-Notice Published: 24 Ill Reg 3391 - 2/25/00

Criminal Justice Information Authority

25. Operating Procedures for the Administration of Non-Federal Grant Funds (20 Ill Adm Code 1560) (Emergency)
-Notice Published: 24 Ill Reg 1282 - 1/21/00

Insurance

26. Admitted Assets (50 Ill Adm Code 945) (Emergency)
-Notice Published: 24 Ill Reg 2480 - 2/14/00

Secretary of State

27. General Rules, Definitions (92 Ill Adm Code 1000) (Emergency)
-Notice Published: 24 Ill Reg 1681 - 1/28/00

28. Issuance of Licenses (92 Ill Adm Code 1030) (Emergency)
-Notice Published: 24 Ill Reg 1686 - 1/28/00

State Toll Highway Authority

29. State Toll Highway Rules (92 Ill Adm Code 2520) (Emergency)
-Notice Published: 24 Ill Reg 2737 - 2/18/00

EXEMPT RULEMAKING

JOINT COMMITTEE ON ADMINISTRATIVE RULES

STRATTON OFFICE BUILDING
ROOM C-1
SPRINGFIELD, ILLINOIS
9:00 A.M.
MARCH 7, 2000

Pollution Control Board

30. Pretreatment Programs (35 Ill Adm Code 310)
-Proposed Date: 11/19/99
-Adopted Date: 2/14/00

AGENCY RESPONSE

Banks and Real Estate

31. Real Estate License Act (68 Ill Adm Code 1450) (Emergency)

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of February 15, 2000 through February 21, 2000 and have been scheduled for review by the Committee at its March 7, 2000 meeting in Springfield. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rulemaking should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Bldg., Springfield IL 62706.

Second Notice Expires	Agency and Rule	Start Of First Notice	JCAR Meeting
3/31/00	Department of Public Health, Emergency Medical Services and Trauma Center Code (77 Ill Adm Code 515)	9/17/99 23 Ill Reg 11413	3/7/00
4/1/00	Department of Public Health, Community-Based Residential Rehabilitation Center Demonstration Program Code (77 Ill Adm Code 220)	11/19/99 23 Ill Reg 13783	3/7/00

PROCLAMATION

2000-40
50TH ANNIVERSARY OF THE GREATER PALATINE CHAMBER OF COMMERCE AND INDUSTRY, INC. DAY

WHEREAS, in 1950 Gunner Hansen and five others formed the first Board of Directors of the Palatine Chamber of Commerce and filed Articles of Incorporation with the Secretary of State; and

WHEREAS, the Greater Palatine Chamber of Commerce and Industry has steadily grown in membership and can now boast a participation of more than 500 members; and

WHEREAS, the Greater Palatine Chamber of Commerce and Industry serves the community as a catalyst and focal point for business, industry, civic and culture; and

WHEREAS, the Greater Palatine Chamber of Commerce and Industry brings area business persons together to share their experiences, knowledge and talents. From these interactions flow creative plans and policies to help better Palatine; and

WHEREAS, the Greater Palatine Chamber of Commerce and Industry is governed by a Board of Directors who donate their time and talents and community-minded business people and residents who have a sincere desire to build a better business climate and a finer community;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim February 8, 2000, as 50th *ANNIVERSARY OF THE GREATER PALATINE CHAMBER OF COMMERCE AND INDUSTRY, INC. DAY* in Illinois.

Issued by the Governor February 3, 2000.

Filed by the Secretary of State February 15, 2000.

2000-41
CHARTER FOR ILLINOIS CHILDREN DAY

WHEREAS, families and communities have come together to discuss children's issues and have created a comprehensive assessment of shared vision and responsibilities for the children of Illinois; and

WHEREAS, the Charter for Illinois Children examines needs, talents and expectations of children in the fundamental areas of health, education, safety, family, economic security, arts, recreation, and culture; and

WHEREAS, thousands of endorsers have joined a growing grassroots movement in support of the Charter for Illinois Children; and

WHEREAS, the Charter unites hundreds of individuals and communities under one common banner and inspires us to work together to make the vision and goals of the Charter a reality;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim March 14, 2000, as *CHARTER FOR ILLINOIS CHILDREN DAY* in Illinois.

Issued by the Governor February 7, 2000.

Filed by the Secretary of State February 15, 2000.

2000-42
COMMUNITY BANKING WEEK

WHEREAS, for more than a century, Illinois community banks and thrifts have acted as the community partner for local business, industry and individuals; and

WHEREAS, the Community Bankers Association of Illinois is celebrating its 26th year of serving Illinois community banks; and

WHEREAS, more than 900 locally owned and/or operated community banks and thrifts with thousands of banking offices in Illinois have upheld a tradition to give back to their communities; and

WHEREAS, Illinois community banks and thrifts employ more than 20,000 workers and serve more than two million account holders conscientiously and competitively; and

WHEREAS, on the average, more than 95 percent of a community financial institution's loan portfolio is reinvested in the local area as farm, commercial, small business and residential loans; and

WHEREAS, Illinois community banks and thrifts are among the safest and most well-capitalized banks in the nation; and

WHEREAS, the Community Bankers Association of Illinois will celebrate Illinois Community Banking Week for April 9-15, 2000;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim April 9-15, 2000, as *COMMUNITY BANKING WEEK* in Illinois.

Issued by the Governor February 7, 2000.

Filed by the Secretary of State February 15, 2000.

2000-43
JERSEY COUNTY SOIL AND WATER CONSERVATION DISTRICT DAY

WHEREAS, the Jersey County Soil and Water Conservation District was formed in 1950 under the leadership of Mr. Joseph Fulkerson and Mr. Ed Porter; and

WHEREAS, the District works to protect natural resources through a variety of soil conservation and water quality protection programs; and

WHEREAS, the District staff provides landowners with information and technical assistance to prevent and correct natural resource related problems; and

WHEREAS, the District assists farmers in developing conservation plans designed to prevent soil loss, reduce nutrient runoff from fields, manage animal waste, and otherwise operate in an environmentally sound manner; and

WHEREAS, the District helps conduct an annual soil erosion survey to track progress toward the goal of achieving tolerable soil loss on Illinois cropland; and

WHEREAS, the District has provided leadership in the development of Agricultural Protection Areas in the county; and

WHEREAS, the leadership of the Jersey County Soil and Water Conservation District and voluntary efforts of county landowners has brought more than 75 percent of Jersey County cropland below the tolerable soil loss benchmark; and

WHEREAS, the District has been a leader in organizing pooled orders for fish and trees, thereby providing an economical way for landowners to stock ponds, plant windbreaks, and improve wooded areas; and

WHEREAS, the District helps promote sound stewardship among youths by giving each third grade school student in the county a tree on Arbor Day;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim February 1, 2000, as *JERSEY COUNTY SOIL AND WATER CONSERVATION DISTRICT DAY* in Illinois honoring 50 years of service to the people of Jersey County.

Issued by the Governor February 7, 2000.

Filed by the Secretary of State February 15, 2000.

2000-44
RANDALL L. EARL DAY

WHEREAS, Randall L. Earl has been in the funeral service all of his life, in that his father was in the business while growing up in Herrin, Illinois; and

WHEREAS, Randall has worked his entire professional career in Decatur and has been a partner with Brintlinger's Funeral Home since 1983; and

WHEREAS, Mr. Earl has not only been active in the Order of the Golden Rule, but has been active in local and state-wide offices for the Illinois Funeral Directors Association, of which he will be President in 2001; and

WHEREAS, Randy is an officer on the State level for the American Cancer Society and a board member of Staley Credit Union and the Decatur Club. He also has been a board member for the Decatur Celebration; and

WHEREAS, on February 25, 2000, Mr. Randall L. Earl will be installed as President of the International Order of the Golden Rule;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim February 25, 2000, as *RANDALL L. EARL DAY* in Illinois.

Issued by the Governor February 7, 2000.

Filed by the Secretary of State February 15, 2000.

2000-45
ESTONIAN DAY

WHEREAS, Estonia gained its independence on February 24, 1918; and

WHEREAS, their independence lasted until the 1940's when the Soviet Union occupied Estonia; and

WHEREAS, Estonia regained its freedom and became an independent republic in August of 1991; and

WHEREAS, United States citizens of Estonian heritage are exemplary Americans who preserve their traditions, take pride in their history of freedom and believe in human rights for their homeland; and

WHEREAS, Chicago enjoys one of the largest communities of Estonians in the United States today;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim February 24,2000, as *ESTONIAN DAY* in Illinois in recognition of the 82nd anniversary of Estonian independence.

Issued by the Governor February 8, 2000.

Filed by the Secretary of State February 15, 2000.

2000-46
LITHUANIAN DAY

WHEREAS, Lithuania's history as a nation dates back to the 13th century; and

WHEREAS, Lithuania has courageously struggled for independence for more than 50 years; and

WHEREAS, Lithuanian-Americans have played a significant part in the progress of Illinois and have proudly shared their culture, heritage, and talents with our State; and

WHEREAS, we are grateful for their contributions to our State and our individual lives; and

WHEREAS, many events are being held to commemorate the 82nd anniversary of Lithuania's independence;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim February 16, 2000, as *LITHUANIAN DAY* in Illinois, commemorating the anniversary of this special day.

Issued by the Governor February 8, 2000.

Filed by the Secretary of State February 15, 2000.

2000-47
POLISH NATIONAL ALLIANCE DAY

WHEREAS, on February 14, 2000, the Polish National Alliance of the United States observes the 120th anniversary of its founding in Philadelphia and subsequent establishment of its home office in Chicago; and

WHEREAS, through dedicated and exemplary services, this organization grew from its initial 143 members to the present membership of more than 250,000 with assets of $305 million and presently occupies the position of the largest ethnic fraternal organization in the United States; and

WHEREAS, among the founding lodges of the Polish National Alliance were societies of the early Polish settlers in Chicago such as Gmmina Polska which was founded in 1866, Harmony which was founded in 1879, and other societal units; and

WHEREAS, through the wide spectrum of its fraternal, civic, socio-cultural, and economic activities, the Polish National Alliance contributed significantly to the growth and development of the State of Illinois and the City of Chicago; and

WHEREAS, one of its distinguished members, John F. Smolski, was elected State Treasurer in 1906, bringing certain beneficial reforms to that office and, as a financial expert and bank organizer, contributed significantly to the economic development of our state; and

WHEREAS, through its official publication, the Bi-Monthly Zgoda, founded in 1881 in New York and transferred to Chicago in 1882, and also through its daily publication, the Polish Daily Zgoda, which has been published since 1908, the organization has enhanced the quality of American life with the best values of Polish tradition and culture. Throughout decades, the Polish National Alliance of the United States advocated the concept of ethnicity as a vital ingredient in the immensely rich and diversified culture of pluralism in our society;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim February 14, 2000, as *POLISH NATIONAL ALLIANCE DAY* in Illinois and ask our citizens to join the members of this organization in the observance of this 120th anniversary.

Issued by the Governor February 8, 2000.

Filed by the Secretary of State February 15, 2000.

2000-48
TV-TURNOFF WEEK

WHEREAS, the average American youth watches 1,500 hours of TV each year while attending school for only 900 hours annually; and

WHEREAS, parents spend an average of just 38.5 minutes a week in meaningful conversation with their children, while children spend an average of 1,680 minutes a week -- 28 hours -- watching television; and

WHEREAS, participants in TV-Turnoff Week engage in a broad range of substitute activities that foster greater social, physical, academic and creative development;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim April 24-30, 2000, as *TV-TURNOFF WEEK* in Illinois.

Issued by the Governor February 8, 2000.

Filed by the Secretary of State February 15, 2000.

2000-49

10th ANNIVERSARY OF THE RE-ESTABLISHMENT OF INDEPENDENCE OF THE REPUBLIC OF LITHUANIA

WHEREAS, the Republic of Lithuania is a free, democratic and independent nation with a long and proud history; and

WHEREAS, the Republic of Lithuania desires to share in both the benefits and obligations in pursuing the development, growth, and promotion of democratic institutions and ensuring free market economic development; and

WHEREAS, Lithuania recognizes its responsibilities as a democratic nation and wishes to exercise such responsibilities; and

WHEREAS, this date marks the 10th anniversary of the re-establishment of independence of the Republic of Lithuania;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, support 10th *ANNIVERSARY OF THE RE-ESTABLISHMENT OF INDEPENDENCE OF THE REPUBLIC OF LITHUANIA.*

Issued by the Governor February 9, 2000.

Filed by the Secretary of State February 15, 2000.

2000-50

SCHOOL COUNSELOR WEEK

WHEREAS, school counselors are advocates for children in providing guidance services for thousands of children in elementary and high school in regular and special education settings; and

WHEREAS, school counselors help children and adolescents realize their potential both academically and socially; and

WHEREAS, school counselors help children and adolescents learn to solve problems, settle differences in a peaceful manner, negotiate, make good decisions, and set appropriate goals for their futures; and

WHEREAS, school counselors help teachers and administrators provide curricula which stress developmental and career goals in order that students transition from school to work successfully; and

WHEREAS, school counselors work with parents and outside agencies to advocate for the best interest of children by coordinating their efforts; and

WHEREAS, school counselors provide opportunities for students to develop leadership skills, to apply for scholarships, to develop special interests, and to understand their strengths and weaknesses;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim April 23-29, 2000, as *SCHOOL COUNSELOR WEEK* in Illinois.

Issued by the Governor February 9, 2000.

Filed by the Secretary of State February 15, 2000.

Rules acted upon during the calender quarter from Issue 1 through Issue 16 are listed in the Issues Index by Title number, Part number and Issue number. For example, 50 Ill. Adm. Code 2500 published in Issue 1 will be listed as 50-2500-1. The letter "R" designates a rule that is being repealed. Inquiries about the Issues Index may be directed to the Administrative Code Division at 217-782-4414 or jnatale@ccgate.sos.state.il.us (Internet address).

PROPOSED
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EMERGENCY
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PEREMPTORY
80-310-9

**Notice for Public Comment*

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Make Checks payable to: **Secretary of State** Send Payment to: Index Department
111 E. Monroe
Springfield, IL 62756

Fax order to: 217-524-0930

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☐ Check ☐ VISA ☐ Master Card ☐ Discover, Card #: _____
(There is a $1.50 processing fee for credit card purchases.)

Expiration Date: _____ Signature: _____

Name: _____

Address: _____

City, State, Zip Code: _____

Phone: _____ Fax: _____ Email _____

Published by Jesse White Secretary of State

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